



PERSONAL INJURY LAW

KNOW YOUR
RIGHTS

CAROSELLI
BEACHLER
&
COLEMAN

Since 1972, Caroselli Beachler & Coleman, has represented injured people and their families in accident, injury, and death claims, as well as a broad range of social security and employment issues. We serve all communities in Pennsylvania and offer local appointments when needed. Our practice areas include:

- **Asbestos Cancers**
- **Mesothelioma**
- **Workers' Compensation**
- **Auto & Motorcycle Accidents**
- **Defective Products**
- **Medical Malpractice**
- **Social Security Disability**
- **Insurance Bad Faith**
- **Oil and Gas Landowner**

We work on a contingent fee basis; in most cases, there is no fee for lawyers' services unless we recover on behalf of the client

***In some cases, however, certain expenses may apply.**

About Personal Injury Law

Injuries can occur to anyone at any time, and often an injured person is entitled to recover money damages from another person or company, if that person or company was responsible for their injuries. But how do you know if you have a claim against a person or a company who caused your injuries?

As attorneys who practice in the field of personal injury law, and who have the necessary skills and experience necessary to determine whether or not you're entitled to collect for your injuries, we will consider a number of factors in making that determination.

Responsibility

Generally, you must prove that a party was negligent before that party can be held responsible for your injuries. A person is considered negligent- or careless- when they do something they should not have done, or when they don't do something that they should have done.

Damages

When considering whether a person should be compensated, an attorney must look at what losses or damages the injured party has suffered as a result of the other person's negligence. This can include medical expenses, lost wages, or the cost of obtaining replacement services that ordinarily they would have performed themselves. Damages can also include pain and suffering, inconvenience, embarrassment, and loss of enjoyment of life.

Injuries Caused By Others

Common examples of negligence which can cause personal injuries to others are automobile accidents, which can include: collisions caused by drunk drivers, a person who fails to stop at a red light or a stop sign, or a driver who is momentarily inattentive.

Another type of personal injury claim is the medical negligence or malpractice claim. In this type of claim, the injuries are caused by a doctor or other healthcare provider who does not comply with accepted and reasonable standards in delivering care to a patient, which results in harm to the patient.

About Personal Injury Law Cont'd.

Slip and fall accidents, or premises liability claims, are often the basis for personal injury claims. They occur if an individual or corporation is negligent, which creates a dangerous condition on their property, and that condition causes injury to someone.

Defective Products

One type of personal injury claim that does not necessarily involve the carelessness of another person occurs when a product is defectively designed or did not function as it was intended, causing injury to someone. It is necessary, however, to prove that the product was defective and the cause of the injury, and cases such as these usually involve the use of technical experts.

A lawyer familiar with personal injury law can best help you determine if you have a case. At Caroselli Beachler, we have been practicing personal injury law for more than 40 years. If you, a family member, or friend have been injured and think you may have a claim, call our law firm for a free consultation 1-800-222-8816.

Q & A: Personal Injury

How do I know I have a personal Injury case?

A personal injury case occurs when a person suffers an injury, disease or even death as a result of someone else's fault or negligence. Generally, in such cases, you can recover monetary damages.

The most common types of personal injury cases include:

- Automobile collisions
- Defectively manufactured or designed products
- Accidents that occur due to the hazardous condition of someone else's property
- Industrial accidents
- Medical or hospital negligence

Note: If you've been injured in any type of accident, it is important to seek the advice of an attorney to determine whether or not you have a case.

What kind of damages can I collect?

If you're injured, you may be able to recover the amount of medical and hospital bills, rehabilitation services, and pharmacy bills that you have incurred, as well as any salary or wages you have lost as a result.

It is also possible to recover damages for physical pain and other losses, such as the ability to participate in the activities you did prior to the accident. (This is known as pain, suffering and inconvenience.) In some cases, the spouse of an injured person may also collect damages for disruption of the marital relationship.

Q & A Continued

Note: If you have selected the Limited Tort option on your automobile insurance policy, you may not be able to recover some of the damages listed if you re injured in an another accident.

Can I collect for punitive damages? You can only recover punitive damages when the person being sued has intentionally or maliciously caused your injuries. Punitive damages are intended to punish the person at fault rather than to compensate the victim.

How do you determine the value of a case? The facts of how the injury occurred and the degree of fault determines whether or not the other person is responsible. In most cases those facts will be disputed. Once responsibility is established, the value of the case depends largely on:

- The severity of your injury
- The length of your disability
- The permanency (if any) of your injury
- The amount of wage loss and/out of pocket medical expenses

How long do I have to file a claim? Generally, you must file a lawsuit within two years of the date that your injury occurred. However, there are exceptions. For example:



If you have a claim against a government agency, you must notify them of your claim within six months of your injury.

- You cannot sue your employer if you are covered under Workers' Compensation. However, if you are injured on the job due to the negligence of a third party other than your employer, you may have a claim for damages against that third party, in addition to the employee benefits you are entitled to under the workers' compensation law.

What are the fees and costs involved in filing a claim?

In most cases, lawyers represent the injured parties on a contingent fee basis, which means that they receive a percentage of the gross recovery either by out-of-court settlement or trial verdict. As a client, you are normally not responsible for costs that are advanced in handling your case, unless there is a recovery made. Then, costs are deducted from the settlement or verdict after the fee is paid. The exception to this is in cases of medical negligence, where the initial cost for medical records, an initial consultation, report may be the responsibility of the client.

How long does it usually take to complete a case?

This varies according to the complexity of the case and the court in which it is filed. Complex cases take longer to investigate and develop. In Pennsylvania, most courts will generally try a case within two years of the date of filing. Settlements can occur at any time before, during or after a trial.

Q & A Continued

As a client, what is expected of me throughout my case?

Note: It is important to allow your case time to be fully prepared if you hope to receive fair and adequate compensation.

It is important for you to be involved in your case by:

- Keeping your lawyer informed of any changes related to your injury and your medical treatment as your case progresses
- Providing names of witnesses to the incident that resulted in your injury
- Answering formal questions (interrogatories) which the insurance company or defense lawyer requests, as well as producing any documents relevant to your case. In most cases, the defense will also take your statement under oath (deposition).
- Social Media

Employer and Insurance Companies monitor social media, twitter, and internet postings of injured individuals. Internet sites such as Facebook and similar social media are frequently reviewed by the insurance company to locate information that can be used against you. If you participate in social media sites, do not, under any circumstances, write, post, email or communicate anything about your claim. Do not discuss aspects of the injuries you have suffered or how they affect your daily activities.

Q & A Continued

The courts have ruled that information an injured individual posts on Facebook or other social media may be discovered by the insurance carrier or its investigators. We recommend individuals take every opportunity to protect their privacy and refrain from communicating through the internet, or social media anything regarding their injuries, medical treatments, physical restrictions or disabilities, or any other detail about their case. Finally, be certain to advise your lawyer if you are communicating over the internet on an employer operated email platform or on an employer owned device. This use may eliminate the attorney/client privilege that would otherwise be protected as confidential.

There may be other meetings or pretrial conferences that you will be required to attend, and if your case goes to trial you must be present throughout the entire trial.

If you have a question about personal injury or think you may have a claim, call Caroselli Beachler & Coleman for a free consultation at 412-391-9860.

In Case Of An Accident

Automobile accidents can happen to anyone at anytime. If you are involved in an accident, it is important to follow the steps listed below:

1 Stay Calm

Call 911 to report the accident and request an ambulance for anyone who is injured, and don't admit fault or discuss the accident with anyone, except the police.

2 Exchange Information

Exchange only your driver's license, registration and motor vehicle insurance card. Give your name, address, license plate number, and name of your insurance company to the other party, and get the same information from them.

3 Identify Any Witnesses

Get the names, addresses and phone numbers of any people who saw the accident.

4 Diagram The Accident

Note the date, time, and location of the accident, and use the space on the reverse side to draw a diagram. Note the make and year of the other vehicle, as well as the damage to it. If possible, take photographs.

5 Report the Accident

Report the accident to your insurance company immediately, and if death or injury are involved, report it to the police.

Date, Time & Location of Accident: _____

Other Driver's Name _____

Address _____

Phone _____

Insurance Co. _____

Driver's License# _____ License Plate# _____

Witnesses: _____

Detach and Keep in the glove compartment of your car.



Diagram of Accident

A large, empty rectangular box with a thin black border, intended for drawing an accident diagram.

Caroselli Beachler & Coleman, LLC
Practice Areas

Asbestos Cancers
Mesothelioma
Workers' Compensation
Auto & Motorcycle Accidents
Defective Products
Medical Malpractice
Social Security Disability
Insurance Bad Faith
Oil and Gas Landowner

For more information on:

Medical Malpractice
www.pittsburghmedicalmalpractice.com

Asbestos Diseases
www.asbestosdiseasesattorney.com



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