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TAKE CARE WITH CAR SEATS

A big part of our summer has been the addition of a new nephew. In August, my youngest brother had his first child, an adorable baby boy.

As we were sitting at the hospital, I was thinking back to my daughter's birth. As young, inexperienced parents, we were trying to make sure we did everything right to keep our daughter safe, including making sure that we had the best car seats to protect her while we were driving.

But car seats are like anything else — they're only as good as the operator. And about a month after our daughter was born, we figured out that we had been strapping her into her car seat wrong.

We're not alone.

Seatcheck.org, a respected public service website, reports that 7 out of 10 kids in child safety seats are not properly buckled in.

That's a problem. Studies unanimously find that motor vehicle crashes are the number 1 killer of kids, and a lot of that can be

attributed to lack of use or improper use of child safety seats. That's a particular problem for us in Texas, where we are usually neck and neck with California for the most number of child deaths from car wrecks.

Not surprising, child safety seats are remarkably effective at protecting kids. The National Highway Traffic

Safety Administration reports that proper use of child safety seats can reduce the risk of fatality in infants by 71 percent and in toddlers by 54 percent. It's so important, that the American Academy of Pediatrics has started recommending that doctors discuss car seat safety with parents at each visit.

If you have any questions about whether you're using a car seat properly, find a free

check in your area. A study in Pediatrics magazine found that this type of hands-on instruction can increase proper usage significantly.

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— Brooks Schuelke

Could You Be Liable For Sending A Text To A Driver?



It's no secret that texting while driving is dangerous.

We've probably all seen the driver who can't stay in his lane or who is driving dangerously slow all so the driver can text while driving.

We can see it's dangerous. It's so dangerous that study after study finds that it's significantly more dangerous than even driving while intoxicated. (And heaven knows we see too many clients injured in wrecks caused by texting and driving.)

Thus, we can all understand (I hope) that if someone is texting while driving and causes a wreck, then the law ought to hold that person accountable for the harms the person causes others.

But what about the person who sends a text to someone who the person knows is driving? Should the person sending a text to a known driver be potentially liable if the driver is in a wreck while reading or responding to the text?

That's now a possibility in New Jersey. Earlier this month, a state appellate court ruled that third-party texters could bear responsibility in texting-related car wrecks. In reaching the opinion, the court wrote, "when a texter knows or has special reason to know that the intended recipient is driving and is likely to read the text message while driving, the texter has a duty to users of the public road to refrain from sending the driver a text at that time."

Could this happen in Texas?

It's doubtful. Our legislature and court systems are extremely conservative, and I have a hard time believing that they would reach the same conclusion.

But we should still heed the warning. If you know a friend or family member is driving, don't text them. Wait until they're somewhere safe to read your message.

Quotes Of The Month

It is not good for all our wishes to be filled; through sickness, we recognize the value of health; through evil, the value of good; through hunger, the value of food; through exertion, the value of rest.

-Dorothy Canfield Fisher

Just when you think it can't get any worse, it can. And just when you think it can't get any better, it can.

- Nicholas Sparks

It does not take much strength to do things, but it requires great strength to decide on what to do.

- Elbert Hubbard

Everything you can imagine is real.

- Pablo Picasso

Life isn't about finding yourself. Life is about creating yourself.

- George Bernard Shaw

MAKE THE MOST OF YOUR DOCTOR'S APPOINTMENTS



Make The Most Of Our Visits

For whatever reason, people get intimidated when going to doctors' offices and they forget to tell their doctors about all of their issues, they're unwilling to ask follow-up questions, or they're flustered and forget what the doctors say. This is a threat to your health, but if you're a personal injury victim, it also has a big affect on the value of your case.

Here are some tips to help avoid these problems.

- Identify your symptoms. If you're feeling ill, spend some time documenting the problem in specific terms: what hurts, how much, how long you've felt sick, anything that might have contributed to it, and so forth. This will help your doctor make a diagnosis more efficiently.
- Bring your medical history. On your smartphone, or just a piece of paper, keep track of such health-related items as previous illnesses, vaccinations, accidents, and allergies, as well as your family's medical history as far back as you can go. All of this gives doctors a better context for determining your condition.
- List medications. List all the medicines, vitamins, and supplements you take on a regular basis. Your doctor will need the information in case any of them might be causing unexpected side effects, and to avoid interactions if he or she prescribes any new medications for your condition.
- Prepare questions. Don't rely on your memory alone. Write down questions as they occur to you before the appointment so you don't forget any relevant details while talking with your doctor.
- Take notes. Again, you're better off writing down what your doctor says so nothing slips your mind later. Ask for a printed list of instructions to ensure you're interpreting his or her advice correctly.

Austin Among The 10 Worst Cities For Traffic?

Last month, I read a story from Yahoo News talking about the 10 US cities with the worst traffic, and Austin comes in at number 4 (ahead of even New York City).

The story details what all of us know. For more than a decade, Austin has been among the fastest growing cities in the country, but there hasn't been a corresponding increase in road infrastructure to keep up with our growing population. The result was a "congestion score" that was over three times the national average.

I'm not really surprised by the finding that Austin is among the worst cities for traffic. But I am shocked that neither Houston nor Dallas made the list. I've driven in both of them during rush hour, and I'd take Austin every day of the week

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THANKS FOR YOUR REFERRALS

We can't say it enough, but "thanks." Your referrals are the life-blood of our firm. We continue to receive referrals from other lawyers, doctors, and people we don't even know.

But the referrals we cherish most are the referrals from former clients, friends and family members. You are the ones who really know us and have experience with us. And it means a lot when you trust us enough to refer those close to you to our firm.

So thanks for the referrals in the past, and we hope you'll continue to refer to us in the future.

Trying To Find A Lawyer?

Ask Us.

Earlier this week, I was in a meeting with a smart guy who used to run hospitals. As we waited for others to arrive, he asked me, "How can a person know if they're hiring a good lawyer?"

And the answer is, "By yourself, you can't."

If you're relying on yourself to find a lawyer, it's hard to evaluate who knows what they're doing, who will be responsive to you and your case, and who might be a good fit for you personally.

But we can help with that. For almost any need, we can give you the name of a lawyer or two who we trust and who might be able to help you.

If you need a lawyer, don't leave it to chance. Ask us, and we'll try to help you find someone you can trust.