



# Corradino & Papa, LLC

*A Personal Injury Law Firm*

**[CorradinoandPapa.com](http://CorradinoandPapa.com)**

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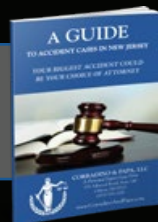
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## ROAD CONSTRUCTION SAFETY— *it's a two-way street*

This time of year, road construction is a common sight across the nation's highways, roads, and streets. It is imperative that drivers follow the posted work-zone speed limits and pay attention so as not to endanger construction workers, as well as other drivers and themselves.

However, construction companies also have a duty to keep a work zone safe for traffic passing through and around the area. Potential work-zone hazards include the following:

- **Improper signage.** Motorists need ample warning of upcoming construction. Government regulations specify the types of signs to be utilized, the placement of those signs, and their number. Signage should be clear and concise.
- **Missing or misplaced cones, barrels, and other equipment.** Missing cones or barrels can create confusion. Misplaced ones can do the same or become roadway obstructions. Both elevate the risk of an accident.
- **Hazardous changes in traffic patterns.** For instance, a posted work-zone speed limit that's too high for a sudden makeshift turn that's too sharp is a dangerous combo for motorists.
- **Uneven pavement.** Uneven pavement that's unmarked can be hazardous, especially for motorcyclists. It doesn't do a car's suspension any favors either.
- **Obstructions.** Construction debris, equipment, or vehicles that are too close to the roadway (or partially on it) can make driving treacherous.
- **Construction vehicles entering and exiting the roadway** need to do so in a safe manner.

In some circumstances, federal, state, or local government may share responsibility for road-construction negligence, which adds complexity to the situation. If you are the victim of possible road-construction negligence, promptly contact an auto accident attorney to protect your rights. ■



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# IT'S IMPORTANT TO BE A good patient

If you sustain an injury due to someone else's negligence, good communication with your doctor and/or therapist and following through on their recommendations is critical for your health and well-being—and for receiving fair compensation from the at-fault party.

Being a good patient means keeping all your medical/therapy appointments. It also means giving the doctor or therapist detailed feedback on questions he/she asks you. Think about what you want to say and ask ahead of time; jot down notes prior to your appointment. Doctors and therapists aren't mind readers; they need to know what kind of progress you're making. A thorough and accurate medical record will bolster your personal injury claim.

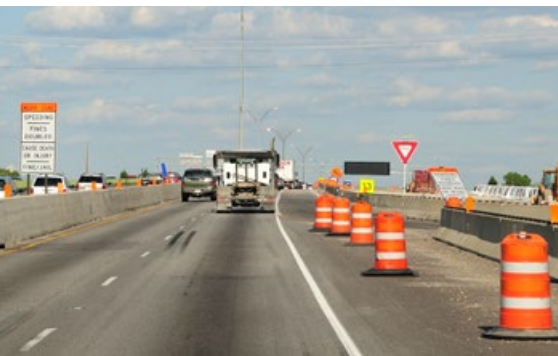
Follow your healthcare provider's recommendations. Get prescriptions filled, carry out the exercise or stretching regimen they map out for you, and confirm what activities are OK and which ones are out of bounds. Get an idea of what developments in your recovery should prompt a call to the office.

Actions that can harm your personal injury claim include a delay in seeking medical treatment following an accident, skipping appointments, cutting off therapy early, and quitting treatment and then restarting weeks or months later, which creates a gap in your treatment record. All leave the door wide open for the at-fault party to argue that your injury is not as serious as you claim it is, or that your injury was caused by something else, not the accident in question.

Being a good patient and hiring an experienced personal injury attorney is the best way to receive fair compensation for your injuries. ■



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## ROAD CONSTRUCTION ZONE DANGER cuts both ways

Each year, hundreds of road construction workers across the country are killed in work zones due to traffic incidents. One of the top causes is drivers who pass on the outside of the construction zone and collide with workers, equipment, or other vehicles. Drivers passing through work zones need to pay attention, follow instructions, and observe the speed limits.

However, construction zones can be dangerous for passersby as well. According to a study conducted by the Federal Highway Administration in 2010, construction zones were the sites of roughly 87,000 vehicular accidents per year, nationally, leading to over 37,000 injuries, not to mention damage to property.

Work zones containing incorrect, improper, or confusing signage; insufficient warnings on lane closures, merges, or shifts; sudden speed changes; missing cones or barrels at key points; dangerously uneven pavement or unblocked, unmarked holes in the road; poor lighting; and construction vehicles entering and exiting the roadway in a reckless manner are a few of the hazards that may lead to accidents.

Road repair/construction is an inevitability. Roadways in a state of disrepair will be a source of danger to motorists and need to be fixed. But it needs to be done with the highest standards of safety and care in mind. All of the situations mentioned previously are completely avoidable.

If you are the victim of negligence at a road construction zone, you may file a claim against a worker, the construction company, the city, or other entity involved in the situation. Contact an auto accident attorney to safeguard your rights. ■

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# report minor accidents

## TO YOUR INSURANCE COMPANY



Contractually speaking, nearly all auto insurance companies require a driver to report any accident they're involved in, no matter how "minor." However, in a seemingly minor accident, the parties might agree to work things out amongst themselves. It's less hassle and they believe their insurance rates won't go up. Bad idea...and here's why.

After an accident, some injuries may take days or weeks to manifest. If you don't report the accident to your insurance company right away, your account of the situation later may come into question.

If you were ticketed or issued a citation at the scene of a minor fender bender, word will get back to your insurance company. Don't drag your feet in reporting it. An unreported accident might cause your premiums to not just rise, but skyrocket. Worse, your coverage may be discontinued.

Even if you were not at fault and decide to work things out with the other driver, the other driver may size up the situation differently once they're at home. If they decide to file a claim days or weeks later, your insurance company may deny you certain protections since you failed to report the accident to them.

The only time it might make sense to avoid reporting an accident is if it occurs on your own property, no injuries are involved, and the only damage is to property you own (e.g., backing into your garage door). In this scenario there are no disputes about fault or cost of repairs.

If you are involved in an auto accident, contact an auto accident attorney for guidance and to protect your rights. ■

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May 2018 – Important Dates

May 5 — Cinco de Mayo

May 3 — National Day of Prayer

May 6 — National Nurses Day

May 13 — Mother's Day

May 19 — Armed Forces Day

May 28 — Memorial Day

# factors affecting

## MOTORCYCLE ACCIDENT CASE SETTLEMENTS

Accurately predicting the value of a motorcycle accident claim is difficult, but there are some core considerations that can shape a settlement offer.

Motorcyclists are sometimes behind the eight ball from the outset. Studies have shown that many people have an unfavorable view of motorcyclists, including jurors. Jury awards are generally lower for motorcyclists than passenger-car claimants, a fact that hasn't escaped the attention of insurance adjusters, who may reduce settlement offers.

Obviously the extent of damages and injuries influences the amount of a case settlement. Another key component is determining how likely it is that the defendant will be found liable. If liability is questionable, the defendant may roll the dice in court. If they win, the plaintiff gets nothing. Therefore, a settlement offer will be lower. If the plaintiff's case is solid, a defendant might not risk going to trial, where, if the defendant loses, the plaintiff's award will be greater. This leverage will likely result in a higher settlement offer.

A plaintiff who was physically active prior to an accident—and whose "quality of life" has been curtailed by his/her permanent injuries—will generally have a higher case valuation than someone who was not as active. In addition, if a person's permanent disability does not affect their livelihood, their lost earnings award will be diminished.

If a defendant has few assets, the plaintiff will likely only receive the limits of the defendant's auto insurance policy—in a settlement or verdict. In some cases that will fall short of the total damages.

If you have been injured in a motorcycle accident, contact a motorcycle accident attorney to protect your rights. ■



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## FREE BOOK

Get Jack Corradino and Robert Papa's *New Ultimate Guide to Accident Cases in NJ*, written by Jack and RC. It will explain "Why your biggest accident could be your choice of attorney", and what to do in the event you are injured.

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**Quote of the Month:** "Twenty years from now you will be more disappointed by the things that you didn't do than by the ones you did do. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover." —Mark Twain

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.



## POLICE OFFICERS AND THE Miranda Warning

The 1966 Supreme Court decision in *Miranda vs. Arizona* resulted in the Miranda warning—the familiar "You have the right to remain silent..." The Supreme Court established that those who are in police custody must have their rights read to them prior to police interrogation (many cases don't require interrogation). Until 1966, many criminal suspects were not aware of their rights and thus incriminated themselves during this process. Suspects must still provide basic identification information, with or without the Miranda warning.

If the police fail to give the Miranda warning to a suspect in custody prior to questioning, any statement or confession they gather is considered involuntary. It cannot be used against the suspect in court. All evidence discovered via that statement will likely be thrown out, too. Although potentially a big blow to the prosecution, other witnesses and evidence may still save the day.

However, if someone is not in police custody—and it is made clear to them that they are free to go at any time—no Miranda warning is required. Sometimes the police avoid arresting someone for that very reason. If the suspect says anything incriminating, he/she can be arrested at that point.

Exceptions to the Miranda warning include an imminent danger to the public (e.g., a suspected terrorist is arrested and may know the location of a bomb) and the utilization of a jailhouse informant, who serves as a proxy for the police.

The Miranda warning is a staple of our legal system. If you find yourself in police custody, utilize your Miranda rights and contact a criminal defense attorney. ■