

# YOU & the LAW



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“YOUR PERSONAL ATTORNEYS”

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## *How can I afford to hire an attorney to represent me?*

Many people go through life without ever having to hire an attorney. However, if you found yourself in a situation where you needed an attorney's help, would you have enough money to pay his or her fees? What if you were hurt in an accident that was the fault of another person or company, medical bills piled up and you were unable to work because of your injury?



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Fortunately, if you are injured or suffer some other loss caused by others, the civil justice system in the United States gives you the power to engage a top lawyer to represent you without having to deplete your life savings to pay his or her fees. Thanks to what is referred to as a “contingency fee” arrangement, many injured victims can afford to have a highly experienced attorney with success in their type of case represent them.

The concept behind contingency fees is not complicated: Your lawyer is paid a percentage of whatever amount you are awarded in court or through an out-of-court settlement. The percentage the lawyer receives for his or her service is decided upon and specified in a representation contract that you both agree to and sign. If your case does not result in a monetary award or settlement for

you, then you do not receive any compensation for your injury and your attorney's contingency fee is zero.

Fees for lawyers who represent clients on a contingency fee basis usually amount to about one-third of the dollars the client receives as part of a settlement or court award. However, the percentage can vary up or down; sometimes influenced by a case's complexity and how it is resolved. For example, a contingency fee could be different for a case that settles out of court than for one that goes to trial before a judge or jury.

Representation contracts also describe how any expenses incurred on your behalf will be handled.

Insurance companies do not like contingency fees because such

arrangements allow working people injured due to someone else's fault to be represented by a highly experienced and successful lawyer. Insurance companies and other large corporations are often on the other end of lawsuits involving personal injuries. Because of contingency fees, an injured victim gets to make his or her case in court on an equal footing with the richest corporation.

Contingency fees also help keep frivolous lawsuits out of the courts. Few lawyers will accept a case on a contingency fee basis if there is little chance of winning. Some cases can take years to resolve and involve hundreds of hours of an attorney's time, meaning the lawyer bears a significant financial burden during that period.

When a lawyer working on a contingency fee basis is on the losing side of a lawsuit, he or she receives no compensation for all the hours invested in the case.

You greatly improve your chances of getting the justice due to you when an experienced attorney with an excellent reputation in your community represents you.



## Ready! Set! Vote! 2014 is an important election year

It may not seem like it yet, but 2014 is a major election year for U.S. senators and representatives. This is what is commonly referred to as an “off-year” election, which is a year without a presidential election.

Although off-year elections are extremely important, traditionally there is a considerable drop off in voter participation in such years. The news media’s emphasis and heavy coverage of presidential

campaigns draw keen interest and higher voter turnout in those years.

While off-year elections are not as glamorous as presidential election years, they determine who represents you in Congress. All 435 U.S. House of Representatives seats are open for election in even-numbered years and many states have a contest for a senatorial seat. This year’s general election for senators and representatives is on Nov. 4.

However, primary elections will be held before that date.

In addition to the elections for U.S. representatives and senators, states are conducting elections for a host of state offices this year.

When you go to vote, remember to take a photo ID with you.



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## Pedestrian deaths up while other crash fatalities trend down

In recent years, the United States has experienced substantial decreases in the number of people killed in vehicle crashes. However, deaths of pedestrians are an exception to this improving record.

In 2011, the most recent year for which finalized records are available, 4,432 pedestrians were killed and an estimated 69,000 were injured in accidents. The pedestrian fatality rate represents an 8 percent increase since 2009. Put another way, traffic

crashes result in a pedestrian being killed about every two hours and one injured about every eight minutes.

The most recent hike in pedestrian fatalities prompted the National Highway Traffic Safety Administration last year to initiate a program dedicated to pedestrian safety. The program includes providing increased information to the public as well as making \$2 million in grants available to communities with the highest rates of pedestrian deaths.

The circumstances and causes of pedestrian deaths are not much different from those involving fatalities resulting from vehicle crashes. Alcohol is a significant factor in both types of fatal accidents, as is the reduced visibility that occurs during evening hours. Drinking too much is not restricted to drivers of vehicles; it is a common factor among killed or injured pedestrians.

## NHTSA safety guidelines and rules for pedestrians and motorists



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### Motorists

- Slow down. During the evening hours, you need more time to see a pedestrian in your path.
- Keep in mind that pedestrians who are wearing headphones, hats or earmuffs may not hear your vehicle as it approaches.
- Keep your windshield, windows and mirrors clean. Make sure your defrosters and windshield wipers are working properly and that you replace washer fluid as needed.

### Pedestrians

- Carry a flashlight or attach reflective materials — such as fluorescent tape — to clothing,

backpacks, purses and briefcases.

- Don’t depend on the traffic signal to protect you. Motorists may be distracted.
- Avoid jaywalking and crossing between parked vehicles. Crosswalks offer a safer alternative.
- Walk on sidewalks whenever possible. If you must walk on the street, face traffic.
- Look left-right-left from the curb before crossing the street.
- Watch out for cars at every driveway and intersection.
- Stay completely focused.
- Be especially careful when walking while talking on the phone or using earphones.

# Should you disclose your social media passwords during a job interview?

The Internet has been abuzz with articles and discussions about bosses or job interviewers asking prospective and current employees for their social media passwords. The purpose of such requests is apparently to learn more about you than what is on your résumé or discussed in a job interview.

While there is no reliable information available regarding how common this practice is among employers, the issue raises serious privacy questions for individuals. A handful of state legislatures passed laws restricting the practice, and many more states have the issue under consideration. Bills to protect individuals' privacy rights in such cases were introduced in Congress but have not been advanced to votes in the House and Senate.

Employers seem to be most interested in snooping around Facebook accounts, but some also are asking about Twitter, LinkedIn and other social media sites.

Unless the state you live in has a law banning the practice, your options on how to react might be limited to providing the requested passwords, refusing to do so, or offering to take a company official on a "tour" of your accounts. It is a tough decision, especially for someone on a job interview who desperately needs to find work.

Some companies get around asking for passwords by "shoulder surfing," which is having a person log in to his or her account while the boss stands over that employee's shoulder and inspects photographs, messages and other postings. Employees should also be aware that it is becoming more common for employers to conduct their own Internet searches of



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***Some companies are requesting passwords so they can open and search through social media accounts of people they interview for jobs — a practice that's raising privacy concerns.***

workers or job seekers to uncover activities that the company might consider objectionable.

Recent surveys found that many workers use their social media accounts while at work. If this is done on the company's computer, your boss could view whatever you post. So, you should forget about posting items on company equipment that could be objectionable to your boss or company. Postings that could concern some employers aren't restricted to such things as risqué photos or "selfies" showing you in an obviously inebriated condition; they could include items you've posted about politics or even religion.

The trend toward companies inspecting private social media accounts sounded alarms among organizations that support individual privacy

rights. For example, the American Civil Liberties Union website includes a statement from one of its lawyers, which in part says: "It's an invasion of privacy for private employers to insist on looking at people's private Facebook pages as a condition of employment or consideration in an application process. People are entitled to their private lives. You'd be appalled if your employer insisted on opening up your postal mail to see if there was anything of interest inside. It's equally out of bounds for an employer to go on a fishing expedition through a person's private social media account."

The National Council of State Legislatures monitors legislation concerning this and many other issues. You can learn more about the status of such legislation in your state by visiting its website at [www.ncsl.org](http://www.ncsl.org).



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## Why does auto insurance cost so much?

For many American families, automobile insurance is one of the larger items in their budget. In spite of having to pay so much for this insurance, many consumers do not understand what drives the cost of policies in their area.

Having a valid auto liability insurance policy is a legal requirement for most vehicle owners, with the amount of required coverage varying by state. How much you pay depends on many factors, but risk to the insurer ranks at or near the top. Insurance companies consider your sex, age, marital status, driving record, type of car you are insuring and your place of residence.



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Some of the factors that insurance companies consider are within your control, but you can do nothing about others. For example, if you have many wrecks and claims on your record, your insurance rate will likely be higher.

Where you live can also affect what you pay for car insurance. Unfortunately, many of the main factors that make rates higher or lower in a given state or community are beyond the control of individuals. The percentage of uninsured drivers, crime rate, theft rate, risk of natural disasters, traffic density and competition between insurance companies all affect rates.

Lobbyists for auto insurers spend much time and money trying to convince legislators, regulators and the public that lawsuits are major contributors to high insurance rates. However, there is little or no evidence to support these claims.