

**9 Common Mistakes That  
Can Destroy Your  
Workers' Compensation  
Claim**

**And How to Avoid Making Them**

By

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## **From The Author**

Thank you for buying or requesting this book. I believe you will find it helpful, and I would appreciate your comments.

If you have recently been injured on the job, or if someone you care about has been injured, chances are you're worrying about what you should do next. You may also be feeling angry, frustrated, or just wondering if there is a simple way to handle your unfortunate situation.

You may be asking these questions: "Can I trust my insurance company to take care of me? How do I deal with my employer? Should I get a lawyer? Will I lose any benefits because I didn't see a doctor right after the accident? Will I lose my job if I file a claim? How do I file a claim?"

If any of these questions have occurred to you, then keep reading. My hope is that this book will answer many of your questions, and that it will ease some of your stress and frustration.

In the State of North Carolina if you are injured by an accident on the job then you may be entitled to compensation for those injuries. These benefits are afforded to North Carolina residents pursuant to the North Carolina Workers' Compensation Act. The law makes it clear that you are entitled to medical compensation and monetary compensation for your inability to earn wages as a result of those injuries. The question then becomes if I am injured on the job, "How do I make sure that I receive every benefit to which I am entitled?"

My name is Ben Cochran. I am a Board Certified Specialist in Workers' Compensation Law and I have spent my entire legal career protecting the rights of injured workers. Over the years, I have found that there are many things that people do not know about workers' compensation and unfortunately this lack of knowledge often impairs the injured workers' ability to receive necessary medical treatment and financial compensation they so desperately need and deserve. It is for this reason that I have written this book to offer North Carolina residents at least an insight into the complex nature of workers' compensation. I have entitled it *9 Common Mistakes That Can Destroy Your Workers' Compensation Claim and How to Avoid Making Them*.

Throughout this text I will be focusing on what I have found to be the most important pitfalls faced by injured employees in the State of North Carolina when dealing with their workers' compensation claims. However, it is very important to understand that this document should not be viewed as a supplement for competent legal representation. This is not an exhaustive "need to know" guide but is intended as an informational outlay of a very complex legal system.

With recent changes in the workers' compensation laws, and with the way insurance companies and employers are handling claims these days, I am worried that you may not get the help you really need. The last thing you need is to be taken advantage of during this difficult time in your life.

So, again, I want to thank you for requesting this book. I think that the information I give you here will help you in your quest to obtain fair compensation for your job injury claim.

I have written this book so that injured workers could have good, solid information before hiring an attorney or dealing with the insurance company. As I will point out later, not every case needs a lawyer! I truly believe, however, that you should have this valuable information right now, for free, before you are pressured by an insurance adjuster to answer questions or to settle your case.

OK, are you still a little suspicious? Are you still wondering why I wrote this book, and why I'm giving it to North Carolina residents for free? Let me try to explain further.

I am tired of insurance companies taking advantage of people before they have a chance to talk to an attorney. You may not even need an attorney to represent you in your case, but you should be armed with this important information, right from the beginning of your claim. I wrote this book so that you can be informed, today.

Most attorneys require you to make an appointment, during which you would get some of the information that I am providing here. I believe that you should be able to have this information right now, and without any pressure. The hiring of an attorney to represent you is an extremely important step that should not be taken lightly, and should be done with no pressure on you.

Also, this method of talking to you saves me time. I've packed a ton of information into this book, and it saves me and my employees the hours of time that it would take each day just to talk to all of the new potential clients who contact us. I cannot and I will not accept every case, and each day we turn down many type of injury cases that simply do not meet our case selection criteria or like I said before did not need a lawyer. So, rather than cut you short on the phone, writing this book gives me a chance to tell you what you need to know so that you can make an informed decision about what steps to take with your case. Even if I do not accept your case, I still want you to be better educated about the workers' compensation system so that you don't fall victim to the big insurance companies or self-insured employers.

### **I Am Not Allowed to Give Legal Advice in this Book!**

Even though I may know many of the arguments the big insurance companies are going to make in your claim, I am not allowed to give legal advice in this book. I can offer suggestions and identify certain pitfalls and traps, but please do NOT take anything in this book to be legal advice unless you have agreed to hire me, and I have agreed, in writing, to accept your case.

## **Important Notice:**

We do not want to interfere with any legal relationship you might have now. If you are already represented by a lawyer, this book may raise certain questions for you. Please discuss these questions with your current lawyer. Each law firm does things a little differently and small differences don't mean that we are right and your lawyer is wrong. If you are having some type of problems with your lawyer, please sit down with him or her and try to work things out. It is usually better to work out problems and stay with your original lawyer than to switch lawyers part way through an injury claim. Our firm normally does not accept cases in which another attorney has been involved. Please do NOT ask us to take your case away from another lawyer.

## **What Is Workers' Compensation?**

To protect an injured worker from loss of income if injured at work and for payment of medical bills, the State Legislature adopted the North Carolina Workers' Compensation Act. The legislative intent of the Act is to make employers responsible for the injuries of their employees who were injured by accident in the furtherance of the employer's business. This Act provides workers with full compensation for medical bills and partial compensation for lost wages if they have been injured on the job. The Act also compensates injured workers for any permanent disability or lasting inability to earn the same wages due to the compensable accident.

While the rules and regulations governing claims under the North Carolina Workers' Compensation Act are complex, we believe it is important that you have a basic understanding of what the term "Workers' Compensation" means. Workers' compensation is a "no fault" system which means you usually don't have to show your employer did anything wrong to have caused your injury. You simply have to prove you were injured while working as a result of an accident.



## **Workers' Compensation Myths**

*My employer will file all necessary forms to protect my claim.*

The employer is required to file a Form 19 report of injury to the Industrial Commission. This form does not protect your claim. You must file notice to the employer and a Form 18 with the Industrial Commission which I will discuss in more detail later on.

*Workers' Compensation claims require that I sue my employer.*

This is not true. You file a claim (not a suit) with the North Carolina Industrial Commission which is a state government agency that oversees workers' compensation claims in North Carolina. Workers' compensation is an administrative hearing process and is not civil litigation. An injured worker is really filing the claim against the employer's insurance company most of the time unless the employer is uninsured or self insured.

The Industrial Commission is the judicial body that hears motions and hearing requests through appointed judges called Deputy Commissioners. There is no right to a jury trial in a workers' compensation claim.

*I can collect for pain and suffering.*

This is not true. The purpose of the Act is to compensate the employee for lost wages, medical treatment and diminished future earning capacity. The Act does not allow for compensation for pain and suffering.

*My employer states that since the accident was my fault I can't pursue a workers' compensation claim.*

This is not true. Workers' compensation is a no fault system. The accident can be 100% your fault and you still are entitled to full benefits under the North Carolina Workers' Compensation Act.

Now that you have a general overview of what workers' compensation means in the State of North Carolina, you need to have a basic understanding of certain terms frequently used in a workers' compensation claim. What follows is a simplified plain-language description of key words you will often hear after filing a workers' compensation claim.

## **A Few Workers' Compensation Legal Terms**

**Accepted claim:** A claim in which the insurance company accepts or agrees that your injury or illness will be covered by workers' compensation.

**Medical only claim:** A claim in which the insurance company or employer accepts or agrees that you have suffered an injury, however, they believe that you are still capable of working and as such are only going to pay for medical treatment only.

**Denied claim:** A claim in which the insurance company or employer does not accept or believe that they have a responsibility to provide compensation for your injuries.

**Average Weekly Wage:** The injured employee's average weekly salary prior to the injury. In order to determine the average weekly wage you must look to the 52 weeks of the injured's salary prior to the date of the accident. Generally you total the yearly salary then divide it by 52 weeks. If there are not 52 weeks then most of the time the insurance company or employer simply uses the average of those weeks that the injured employee worked prior to the date of the injury. (This may or may not be correct as it depends on what is fair and reasonable. For example: If you have only worked at the employer for less than three months then more likely than not this is an accurate picture of what your wage earning capacity would be for that position.)

**Compensation Rate:** The compensation rate is two-thirds of the injured employee's average weekly wage.

**Temporary Total Disability:** Weekly disability compensation provided to the injured employee for his/her inability to work. The disability payments are provided at the employee's compensation rate.

**Temporary Partial Disability:** Weekly disability compensation provided to the injured employee for his/her reduction in their average weekly wage due to the compensable injury. The disability payments are two-thirds the difference of the injured's pre-injury wages and those wages after the date of injury.

**Permanent Partial Disability rating:** The percentage amount assigned to a body part intended to determine the number of weeks the injured is entitled to for compensation for their injury. The permanent partial disability rating is assigned by the treating physician.

**Maximal Medical Improvement (MMI):** Once it is unlikely that the injured employee's condition will change or improve with or without further medical treatment, an "MMI" is determined. Maximum medical improvement is determined by the authorized treating physician. Usually when the injured employee reaches maximum medical improvement he/she is released from doctor's care.

**Modified or Light-Duty Work:** Temporary employment offered by the employer to the injured employee while they are on restrictive duty by the treating physician.

**Suitable Employment:** Once the employee reaches MMI, the law requires that the injured employee be returned to suitable employment. Suitable employment is permanent employment available in the competitive marketplace, within the employee's physical, education, and vocational abilities. The employment also must be comparable in wages as to the injured's pre-injury position.

**Vocational rehabilitation:** If you are permanently unable to do your usual job, and your employer does not offer other suitable employment, you will qualify for this benefit. It may include job placement counseling, retraining and a vocational rehabilitation maintenance allowance.

Now that we have a general knowledge of the intent of the North Carolina Workers' Compensation Act coupled with an overview of some very key terms, it is time to discuss those common mistakes made by injured employees which often times greatly reduces the value of their claim or bars their recovery completely for workers' compensation benefits.

## **COMMON MISTAKE 1**

### **Failing To Properly Report Your Accident**

Without a doubt the most important step if you are injured on the job is to report the injury to your employer. Many employers have an accident policy in place which can be referenced in an employee manual. If this is the case with your employer then follow those guidelines set out in the manual. If there is no policy then I find that it is most helpful to let everyone know of the injury which would include co-workers, supervisors, and/or any human resource department that your employer may have.

Many employers and insurance companies tell injured employees that they cannot file the claim because they were not notified of the accident within time. Some employers often tell the injured that they had to have notice within 24 hours of the accident. **THIS IS NOT THE LAW.**

The law generally requires written notice of the injury by accident within 30 days. There are, however, exceptions to this rule. Specifically, and most commonly, if the employer or an agent or representative had actual knowledge of the accident then the employer is also deemed to have notice of the injury. It is for this reason that it is so important to report to everyone at the place of your employment the injury by accident.

There are other exceptions which may apply to your specific case and as such I recommend if your claim has been denied by the insurance company or employer for failure to report the claim within the required period of time then contact an attorney immediately to determine if the appropriate time limits have been applied or to determine if your claim meets one of the exceptions.

## **COMMON MISTAKE 2**

### **Failing To Give a Full and Accurate History to Medical Providers**

I cannot stress this enough. If you fail to tell the medical providers where you hurt and how you were hurt you could not only be harming yourself physically but also legally as well. We all know that it is very important to advise the medical providers of all our complaints so that the physician can give us the proper treatment but it is equally important to your claim for benefits as well.

When the insurance company is investigating a claim they not only take statements from the injured party and witnesses they also inspect the medical records. They are looking to see what was said in the medical records as to how the injured employee reported they were hurt and to what body parts they identified as being injured.

For this reason, when you report to any medical provider be clear and detailed when discussing the nature

of your injuries and how they occurred. Always, identify where you were hurt and if there was anything unusual that caused your injuries.

When an injured employee comes to my office and the insurance company has either denied their claim completely or they do not wish to provide medical treatment to a specific body part, one of the biggest hurdles I find is that the accident or injury was not reported in the medical records until several weeks or months after the initial date of injury. Insurance companies scrutinize these records and if it is not in the medical records they have a difficult time compensating the injured employee.

Moreover, and most importantly, if it is necessary for your case to go to trial the medical records are one of the most compelling pieces of testimony that will be entered in at trial. When being evaluated by the Deputy Commissioner they are given greater weight as they are written by a third-party that has no stake in the claim.

More importantly it is a long established principle that people are most honest when they are reporting their physical complaints to physicians as they want to get better and the physician needs all the information that he can get to make a proper diagnosis. Remember, this practice is recommended not only for your first visit or with just the emergency room - continue to repeat this information for every appointment.



## **COMMON MISTAKE 3**

### **Failure to File a Form 18**

In the State of North Carolina there are certain time limitations which govern when an injured employee can pursue a workers' compensation claim. In order to be clear, I am not speaking of notice to your employer of the accident as previously mentioned. These are two separate concepts. I am speaking to the actual pursuit of compensation pursuant to the North Carolina Workers' Compensation Act.

In order to help protect your right to compensation you need to file Form 18 with the Industrial Commission. If you fail to file a Form 18 immediately with the Industrial Commission then your claim may be barred after a period of time. The time or tolling of a workers' compensation claim may be different for different injured employees depending on the circumstances.

There is no definite statute of limitations as can be found in other areas of law. You may have heard that you have two years to pursue benefits in the State of North Carolina; while this may be true in most instances it is not true under all circumstances and it depends on the type of benefits which are being pursued such as either medical treatment or disability benefits.

The rule to remember is if you want to pursue workers' compensation benefits then file a Form 18. If a Form 18 has not been filed in a case where I have been retained, I file a Form 18 every time. The Form 18 lets the Industrial Commission and the employer know that the injured party is claiming workers' compensation benefits.

## **COMMON MISTAKE 4**

### **Failure to Comply With Medical Treatment**

In the State of North Carolina the workers' compensation insurance company or employer generally has the right to direct the medical treatment of the injured worker. If you have been injured and you are out of work receiving weekly benefits from a workers' compensation insurance company it is very important that you comply with the recommendations of the treating physician when it comes to attending medical appointments and therapies.

If you fail to attend medical appointments you may jeopardize your benefits. Medical appointments are appointments for any type of treatment that is reasonably necessary to effect a cure, give relief, or tend to lessen the period of disability. If the injured employee willfully fails to attend medical appointments that have been scheduled by the insurance company, employer, or the physician then the insurance company or the employer will request that the

injured employee be ordered to attend these appointments by the Industrial Commission.

Of course you may be asking yourself why would the insurance company or the employer want to order the injured employee to attend medical appointments? Wouldn't this cost them more money? Predominantly a request for an order to compel is done by the insurance company or employer when the injured employee is out of work receiving disability benefits. If an employee is ordered to attend medical appointments, then if the injured employee willfully fails to comply with this order, the insurance company or the employer will file an application to terminate or suspend your benefits. If your benefits are suspended then it could be a very lengthy process to reinstate your benefits. It could take months to even years to get them reinstated.

Once again the rule to remember is to comply with medical treatment. Not only is it in your best interest physically, it keeps the insurance company from having a reason to terminate your benefits.

## **COMMON MISTAKE 5**

### **Not Knowing When To Return to Work**

Most employers at the request of the workers' compensation insurance company will provide light duty to injured workers. Either the employer or the insurance adjuster may then require the injured worker to return to work.

But what type of light-duty is being offered? Prior to returning to work it is necessary to know what you will be doing for the employer. Some employers simply say, "We will find you something". Unfortunately this actually may breed a hostile environment which may have not only poor ramifications on your recovery but also your employment with the employer.

If you return to work without an established job position then the employer will be forced to come up with tasks over and over again. Other employees often resent having to do this and the immediate supervisor often begins to demean the injured employee without even realizing it simply due to this resentment. Also in this situation the injured employee is asked to do specific tasks without regard to their restrictions.

In order to avoid this predicament, request, in advance, a specific job description and ask that it be submitted for approval to the treating physician. If the treating physician is confident that you will be capable of performing this position then you may return to work.

Remember; however, perform only those tasks within your restrictions. If an employer asks that you perform duties outside of your restrictions show them the note. If the doctor fails to approve the job description or the employer asks you to work outside of your restrictions then you do not have to return to work.

If the employer fails to provide a job description or if the doctor fails to approve the job description and the insurance company or employer refuse to provide weekly benefits then contact an attorney immediately.

## **COMMON MISTAKE 6**

### **Failing To Request A Second Opinion**

Although the insurance adjuster may be correct in telling you that he/she can tell you where to treat, he/she cannot keep you from having a second opinion. In the State of North Carolina if you are directed to treat with a particular physician and that physician subsequently releases you after treatment at maximum medical improvement, then by law you are able to have a second

opinion with a duly qualified licensed physician of your choosing. It is all too common that injured employees have contacted my office and told me that they were told that they could not have a second opinion. THIS IS NOT THE LAW!

Moreover, if you receive a permanent partial disability rating as a result of your injuries (this is discussed in more detail in the next section) and you are not satisfied with this rating then you may also invoke your right to a second opinion. Do not allow the insurance company to mislead you.

If you have been released and you are still in pain then seek your second opinion. If the second opinion physician recommends additional medical treatment you may then apply to the Industrial Commission to have a change in treating physicians and then you can request the recommended medical treatment.

The insurance company or the employer is not going to freely allow this so it may be necessary for you to obtain legal representation to be successful in this endeavor but remember you are not simply required to stay hurt. There are options.

## **COMMON MISTAKE 7**

### **Settling For the Rating Only**

We have been discussing many different mistakes that can be made during your workers' compensation claim but what happens when the doctor releases you and says that you are as good as you are going to get? As noted previously, this is called maximum medical improvement. It is at this point in time that you may be entitled to a settlement.

The Industrial Commission has set out guidelines that outline to the treating physician how to assign a permanent partial disability rating. It is called the North Carolina Ratings Guide. It takes into account several different considerations including, but not limited to, the range of motion, the tendency to form arthritis, and the structural damage caused by the injury by accident or as a result of any surgeries that were necessary. Once the physician has assigned a permanent partial disability rating then the insurance company creates a Form 21 utilizing this information which establishes the settlement amount of your case.

In workers' compensation there is no payment for pain and suffering and the amount of the settlement is guided by the law. The settlement amount is calculated by using a mathematical formula which includes your compensation rate multiplied by your rating then multiplied by the number of weeks assigned to your injured body part.

This type of settlement should only be used if you have returned back to work with your employer and you have not had a reduction in your ability to earn wages. By this I mean that you are making the same or greater wages than you were before you were injured. If you are not back to work at a real job or you are making significantly less money then do not settle on the rating alone!

## **COMMON MISTAKE 8**

### **Settling Your Claim Without A Job**

If you have been released by the treating physician at maximum medical improvement and you have been assigned a permanent partial disability rating then the insurance company or the employer is going to be ready to settle. But what happens if you can no longer perform your previous position and the employer does not have another job for you within your restrictions?

Then you shouldn't settle for the rating. Workers' compensation in the State of North Carolina is intended to compensate the injured employee for the loss in wage earning capacity. If you can no longer perform your position then a scheduled injury settlement will not compensate you for your injuries. The insurance company or employer will have to assist you with finding another job in the competitive marketplace that offers you wages as close as practicable and within your physician restrictions.



The insurance company or the employer will do anything within their power to convince you to resolve your claim without truly attempting to try and offer you compensation for your inability to return to your position. The insurance company and the employer do not wish to put the injured employee into vocational rehabilitation due to the cost and expense. When an injured employee is in vocational rehabilitation not only do they have to provide temporary total disability benefits to the injured employee but they have to pay a trained specialist to assist the employee in returning to suitable employment.

To the insurance company or the self-insured employer it is about money and cost saving but to the injured employee it is about their future and well being. If you cannot return to work with your previous employer due to your restrictions do not settle in a hurry at their first offer. Make sure that the compensation that you receive is reasonable. After the case is settled it is business as usual for them.

## **COMMON MISTAKE 9**

### **Not Hiring A Lawyer, Or Hiring the Wrong Lawyer**

I mentioned this in passing several times in the previous sections. While it seems that most people should know it is important to seek advice when they are injured, statistics show that many people don't do so.

Here are four main reasons why people don't hire a lawyer immediately after an injury:

1. They don't know if they really need a lawyer, so they are hesitant to talk to one.
2. They don't know a lawyer personally, so they don't bother to look for one.
3. They aren't sure if they can trust a lawyer, so they don't want to use one.
4. They believe it when the insurance companies tell them that they will end up with less money if they hire an attorney. (By the way, that is absolutely NOT true.)

These reasons are not good ones. In spite of all the lawyer jokes you may have heard, there are many honest, hard working, and ethical lawyers who can help you deal with an insurance company claim. While it is true that a

lawyer will usually get a portion of the money you collect from the insurance company, it is also true that a good lawyer can dramatically increase your chances of getting all the benefits you are entitled.

Why do you need an attorney in a workers' compensation claim? Immediately after being injured in an accident, you are thrown into an adversarial legal system. In other words, the insurance company or the employer has in place a team of adjusters, investigators, and attorneys who are working against you, seeking to pay as little as possible and to get you back to work as quickly as possible whether you are able to or not.

Many job injury victims, already in distressed physical, mental, and financial circumstances, understandably choose to delay what they consider to be the hassles involved in retaining a workers' compensation attorney. Some may have had a bad experience with an attorney (in a divorce, for example), or they simply do not like or trust attorneys. These people may attempt to represent themselves.

Some job injury victims, in an attempt to avoid paying legal fees, try to represent themselves, and call an attorney only after they realize that they've gotten "in over their heads." Unfortunately, there are many mistakes (such as providing damaging statements to adjusters) that cannot be "undone" by even the most experienced workers' compensation attorney. Plus, if you wait too long to get legal help, it gets harder to find evidence and witnesses. You also risk losing your claim because of the deadline for filing a Form 18.

The bottom line is...considering the legalities and complexities of the established system for compensating job injury victims, hiring an attorney is usually necessary to “level the playing field,” and to ensure that you receive maximum benefits for your work injury.

This general rule almost always applies in any work accident that involves serious injuries. BUT, if you have been involved in a work accident involving small or minimal injuries, you probably don't even need a lawyer.

If you didn't contact a lawyer immediately, as we have recommended, time has passed, and you only had a couple of doctor visits and you only lost a few days from work, then you probably **don't** need to hire a lawyer. But you certainly should at least contact a lawyer and get some free advice. Many law firms won't even talk to people in this situation – as soon as they determine there's no “good case” for them, they just want to get you off the phone and move on. Our law firm isn't like that. If you call us with a problem or a question, even if we know we can't represent you, we'll still try to answer your questions or we'll refer you to another lawyer or to a government agency that can help you.

OK, now you've decided either to hire a lawyer or not. If you do want to hire a lawyer, how do you choose the best one for you? Hiring a lawyer is easy. Hiring the **RIGHT** lawyer takes a little extra work. You see, there is as much difference between individual lawyers as there is between doctors, accountants, or other professionals. Choose carefully!

Some law firms are personal injury “factories.” They simply settle all their cases for much less than they might have, in order to clear the case as quickly as possible and make room for the next one. If they can’t settle a case quickly, they refer it to another law firm to take the case to court.

Let me suggest that you should stay clear of a situation like this. You need a law firm that will handle your case from start to finish, will pay personal attention to you, will be available when you need them, and will return your phone calls promptly. THERE IS A DIFFERENCE!

We think a lawyer should give a personal commitment to ALL of his or her clients. Just look at our Client’s Bill of Rights near the end of this book. We commit to every client we have, that they will be treated fairly. Then we GUARANTEE to treat every single client with the respect, attention, and dignity that person deserves. I can’t stress enough to you how important this is!

The best way to learn about a specific law firm is to ask your friends and neighbors about them. If someone you know has used that firm in the past and has been satisfied with them, then that is a good recommendation. Another way to learn is to ask the lawyers in the firm to send you some free information about themselves, then to meet with them and ask any questions you may have. I want clients to ask questions of me and of the lawyers and employees who work at my firm, because I want the clients to be confident that they have chosen the best firm for them.

**Here are 9 questions you might consider asking a law firm before hiring them:**

1. Are you a Board Certified Specialist in Workers' Compensation Law by the North Carolina State Bar?
2. How much experience does your firm have in representing injured employees?
3. Have you ever been sued for legal malpractice?
4. Are you covered by a legal malpractice insurance policy?
5. Have you ever been disciplined by the State Bar of North Carolina?
6. Will you copy me with everything you do on my case?
7. Do you have licensed adjusters who will assist the lawyers in the day-to-day handling of my case?
8. Who at your office (both attorneys and non-attorneys) will be communicating with the insurance company on my case?
9. If I am not happy with your firm the first 30 days after I hire you, can I take my case and owe you no fee?

## **Conclusion**

This book has only hit some of the highlights of what you need to do to increase your own **NEGOTIATING POWER** with the big insurance companies or self-insured employers. As you can see, it is an information game. One advantage you have during the beginning stages of your case is that you alone have access to the evidence. The more of it you can collect, the more of it you can use to your own advantage.

### **SO WHAT ELSE CAN WE DO TO HELP YOU?**

In my law practice I've found that many people are **FRUSTRATED, SCARED, INTIMIDATED** and **UNSURE OF WHAT TO DO**. Sometimes people find it hard just to ask for help. Others may have already been intimidated by the big insurance companies or others they've been dealing with. Some may even believe that it is wrong to bring any claim for personal injuries at all.

I've found that once people talk with me or others at my law firm about their claims and about the legal process, they feel much better and more at ease with the whole system. After talking with us, they understand what's fair, and they feel good about doing the right thing.

I think people also appreciate the opportunity to talk with us at no charge, and with no pressure.

**ONE THING YOU DON'T WANT IS TO BE PRESSURED!**

I don't blame you in the least. I certainly don't like to be pressured either. That's why you must be careful, and take the time to make the best decisions possible. You can't make a good decision if you are being **PRESSURED!**

To be completely honest, one of the reasons I wrote this book is to see if my firm can help you. We would like to talk with you about your legal rights, and to answer your questions without any pressure – **FREE OF CHARGE!**

**SO HERE IS WHAT MY FIRM WOULD LIKE TO OFFER YOU:**

A free consultation – You can meet with us at our office, which we prefer, and that you really should prefer (see my previous statements about this), or one of our investigators can come to your home if you just can't get to our office. We'll talk about your accident and related injuries, and we'll discuss your legal rights.

It is our hope that during this discussion we can help you with the following:

- Find a way for you to get the medical help you need, and to get compensated for your injuries.
- Find out if the big insurance company or employer you are up against is withholding benefits you are entitled to, or is pressuring you to make a quick settlement.



- See if you might be exposed to risks you may not even know exist, and that could spell disaster for you.
- And LOTS MORE!

Remember, you are under no obligation, and no one will pressure you. We are here to help you! That is our personal guarantee to you.

Our goal is simply to create a situation where you feel comfortable talking with an expert about your legal options, and to answer any questions you may have. We understand that this can be a very difficult time. You may not be feeling well because of the pain from your injuries. Medication you're taking for that pain might make you a little "fuzzy." Stress can make things even worse.

If this book makes sense to you, then you've probably thought of a few more questions. Feel free to call us while this is still fresh in your mind. Waiting any longer may just cause more stress, or put you at greater risk. We would be happy to get you the information that could ease your mind. Remember, the law is filled with tricky time limitations and notice deadlines!

Why are we willing to do all this? We want you to see for yourself that there are lawyers who are honest, competent, and are willing to work hard for your best interests.

You may be wondering how we earn our money, and whether you will have to pay an hourly fee. Well, you should understand that we only get compensated when we collect money for our clients. We only get paid if you get paid.

The more you get, the more we get. And the faster you get your money, the faster we get our fee. So we have every incentive to devote ourselves to your case and fight for your right to receive the kind of compensation you deserve. That's why our law firm's motto is: We make it happen by putting YOU first.

## **Client's Bill of Rights**

Please allow me to take just a few extra minutes to explain our CLIENT BILL OF RIGHTS. Lawyers will tell you that it is impossible to offer a guarantee in the legal business. WRONG! We say that law firm clients should settle for nothing less! Remember, your attorney works for you – not the other way around.

At Hardison & Cochran we believe we can promise our clients quality service with personal attention. We believe that as our personal injury client you are entitled to have the:

1. Right to talk to your attorney the same day you call.
2. Right to be updated regularly and in a timely manner as to the progress of your case.
3. Right to our respect.
4. Right to expect competence from our firm and all who work here.
5. Right to know the truth about your case.
6. Right to prompt attention from us.
7. Right to have your legal rights and options explained in plain English without legal mumbo jumbo.

8. Right to a fair written fee agreement with our firm.
9. Right to a fair fee for the work we do.
10. Right to make the ultimate decision on your case.

If you think this approach is fair, and you want to take advantage of the free consultation, with no obligation, just give us a call. We will make time for you to talk with us.

Our firm is so committed to quality work and personal attention that we offer a no risk guarantee to potential new clients. If during the first 30 days after hiring our firm you are not completely satisfied with our services you may ask for your file back and discharge us, no questions asked and you owe us no attorney fees.

Thanks again for buying or requesting this book. I hope it has been of some assistance to you. If you still have questions or need something further explained, call 1-800-600-7969 or go to [www.asklawyernc.com](http://www.asklawyernc.com). There is no charge!

## **“PASS IT ON”**

*Free Newsletter courtesy of Hardison & Cochran*

“*PASS IT ON*” is not your typical attorney newsletter. We provide you with relevant information like current events, up-to-date news, community information and legal tips that you can actually use in your daily life. We address issues that many consumers have questions about but never ask. At Hardison & Cochran, we figured since we have a great deal of information at our fingertips, it’s our duty & pleasure to “*PASS IT ON!*”

A few topics covered in our free newsletter include (*but are not limited to*):

- **How to Read and Understand Your Car Insurance Policy**
- **A Guide to Your Rights Under the North Carolina Workers’ Compensation Act**
- **What Should I Consider When Choosing a Workers’ Compensation Attorney?**
- **How to Deal With an Insurance or Claims Adjuster**
- **Do I Have Enough Coverage to Protect Me in Case of an Accident?**
- **How to Get Better Gas Mileage From My Vehicle**
- **Tips on Filing a Claim for Social Security Disability Benefits**

While you can always submit your questions regarding these topics and many others by contacting Hardison & Cochran through our website, you could have our free newsletter “*PASS IT ON*” sent to you four times a year at absolutely no cost or obligation to you.

The information provided is priceless and could truly make a difference not only in the pursuit of your claim (*if applicable*) but also provides you with valuable information on a broad range of topics including financial matters, health concerns and most importantly, ways to ensure that your rights as a consumer and a private citizen are always protected.

To subscribe to “*PASS IT ON*,” simply complete the form on the following page and send it to us by fax, mail it to our office via US Postal Service. You can also subscribe by visiting our website [www.lawyernc.com](http://www.lawyernc.com). If you subscribe to our newsletter and decide that you no longer wish to receive it, simply contact us by phone, mail, fax, or email and we will cancel your subscription immediately per your request. And don't worry – we have the utmost respect for your privacy. We do not and will not share your mailing address, email or other contact information with any outside source.

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Attention: Attorney Kenneth L. Hardison

Fax: 919-835-1379

***Or mail to:***

Kenneth L. Hardison

Hardison & Cochran

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