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Let's Win This!

A Monthly Newsletter - What You Need to Know
About Personal Injury Law

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September 2018 - Issue 7



Hello!

As we get ready to welcome Fall here in North Texas - hopefully with some cooler weather - we're continuing our series on tips for protecting your family.

As you may recall, we started this series talking about auto insurance. (In case you missed that issue, you can find it [here](#).)

Today, *Let's Win This!* will discuss a type of coverage available in connection with your auto policy that all too many people ignore -

Uninsured and Under-insured Motorist coverage.

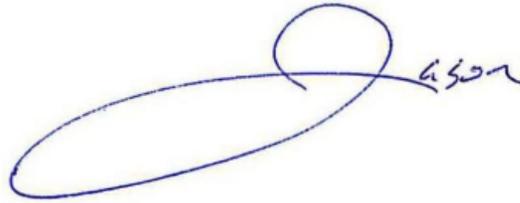
Like it or not, insurance is a crucial part of the world we live in. If you want to cover all of your bases in protecting yourself and your family - and who doesn't? - you absolutely must consider the different types of coverage to determine what's right for you.

We're personal injury lawyers; it's our job, our calling, to help people. We deal with insurance every day and we want to help you avoid the problems caused by inadequate coverage.

So talk to your insurance agent about your coverage situation. After today, you'll have the background to discuss UM/UIM options intelligently.

Giving you useful information is our goal with *Let's Win This!* If you have questions or suggestions, give us a call, shoot us an email, or chat with us on the website.

Thanks for reading -



Insurance - What About the Other Guy?

You're driving with your family, being careful, when without warning someone blows through a stop sign and t-bones your car.

There's broken glass everywhere and smoke from the airbags. You and your two kids are hurting, the kids are crying but you can't get to them. Lights are flashing and you hear sirens in the background. The police arrive and tell you to stay calm. Ambulances arrive.

Thankfully, the injuries aren't life-threatening, but they are serious and you and your kids have to be hospitalized. You'll have to miss a good bit of work and there will be significant medical bills. (To get a refresher on the elements of damages recoverable on account of personal injuries, see *Let's Win This!* Issues 3 - [here](#), and 6 - [here](#).)

You've been conscientious; you have health insurance covering your family. But the deductible on your health insurance policy is \$6500 per person, \$10,000 for the whole family - the lowest that was offered. Obviously, you're going to be out of pocket for all of that. And then there's the lost wages. And the pain and suffering associated with the physical injuries, and the mental fear and anguish from the whole ordeal - particularly the kids'.

Let's look at two different scenarios for the insurance coverage on the other driver's vehicle: Either they had no insurance, at all, or a minimum limits policy - \$30,000 per injured person, \$60,000 for all injured parties (we'll disregard the property damage for now). [Remember, there's a full discussion of minimum limits in [Issue 4 of Let's Win This!](#)]

Let's say that the damages you are legally entitled to recover for the injuries you sustained are \$80,000 and \$45,000 for each of your two kids, for a total of \$170,000.

Chances are very good the at-fault driver does not have sufficient personal assets to cover those kinds of damages. If he also has no insurance, then unless there is another source of recovery, you and your family ultimately will have to bear the entire loss.

If he has insurance, but only the minimum limits policy required to legally operate a motor vehicle in Texas, that policy would cover only \$30,000 of your claim and another \$30,000 toward your kids' claims. *So, even if the other driver carries the required minimum insurance, you end up with \$110,000 in **uncovered** damages and losses.*

Enter UM/UIM Coverage



Every time you buy insurance to cover your car, your agent is required to give you the option to buy insurance to cover the other guy, as well. This is called "uninsured motorist/under-insured motorist coverage" ("UM/UIM" for short), and it helps protect you and your family in the event the at-fault driver has no insurance or not enough insurance, like in the scenario above.

In fact, unless you expressly reject uninsured motorist/under-insured motorist coverage, any policy you get will include at least minimum limits UM/UIM coverage. Minimum UM/UIM coverage has the same limits as minimum liability coverage - \$30,000 per injured person, \$60,000 for all injured parties.

The important thing to remember is that, while your agent will offer you the coverage, what they too often *won't* do is emphasize the importance of having *adequate limits* for your UM/UIM coverage.

Raising your liability limits to 100/300/50 or 300/500/100 (as we discussed in [Issue 4](#)) will *not* automatically increase your UM/UIM limits. So, you must specifically ask your agent to also raise your UM/UIM limits.

Make Sure that Your UM/UIM Limits are Adequate

In the situation above, where the other driver has the minimum liability limits, your family is facing a loss of \$110,000. Even if you have the minimum UM/UIM coverage, which gives your family up to an extra \$60,000 of protection, *you still end up with a \$50,000 shortfall.*

But if you had told your agent that you wanted to increase your UM/UIM limits to \$100k per person/\$300k per accident, then you would be fully covered for all losses in this scenario and you would look to *your* insurance company to make up the deficit after the other guy's insurance was applied.

So, if you want to protect your family, it's important to sit down and carefully evaluate how much UM/UIM coverage is appropriate for your family. Every family's situation and needs are different, but don't count on the "other guy" having enough coverage. We can tell you from experience that it's often not nearly enough.

You can buy different levels of UM/UIM coverage and some insurance companies will even provide \$1million or more in UM/UIM protection. Of course, there's an additional cost for UM/UIM coverage, but the benefit of protecting your family is priceless.

Don't wait. Tonight, take out your car insurance policy and make sure that you have UM/UIM coverage. Decide if the limits you have selected are truly adequate for your family. If they're not, call your agent.



Making the Claim is Complex and Texas Courts Favor the Insurance Company

Texas is a very insurance-friendly state. The way the law has developed in the area of UM/UIM claims can make it easy for insurance companies to avoid paying claims to their policyholders.

That's one of the reasons that it's important for you to have good representation - like Stephens Anderson & Cummings - if you or a family member are injured due to the

negligence of another. We're here, ready to help with the intricacies of pursuing all avenues of recovery, including UM/UIM claims.

But one thing is certain: *if you don't have the coverage, you can't be successful in bringing a claim.*

So take that first step. Review your coverage. Then discuss it with your agent and make changes, if your limits are too low.

Stay Tuned

We have a lot more ground to cover in our Tips to Protect Your Family series, so keep an eye open for future issues. And if you have friends or loved ones you think could benefit from Let's Win This!, please hit the forward button and send it on. They can get their own issue by subscribing right here:

[Subscribe to Let's Win This!](#)

And, remember, we're as close as a call, click, or chat away - we'd love to hear from you!

SAC Staff Spotlight Sharon Davis - Paralegal & Office Manager



When you've been hurt because of someone else's negligence, you want - you need - help. It's Stephens Anderson & Cummings' business to get you that help.

But, like any business, SAC has a lot of moving parts that have to function together so that its clients can get the help that they need.

Sharon Davis is a very big part of the reason that SAC is able to do what it does.

In addition to being a *certified paralegal*, Sharon is the *Office Manager* at SAC.

Law firm administration is a unique mass of interconnected concerns. Like any business, there are employees, with all of their attendant personnel regulations, payroll considerations, and record-keeping requirements. But when many of them are also professionals - lawyers and paralegals - additional continuing education and certification maintenance requirements also have to be managed.

In addition to "standard" accounts - payable and receivable - lawyers (and particularly personal injury attorneys) must maintain trust accounts, which carry strict requirements

mandated by the State Bar of Texas.

Calendar coordination and document management? Missing legal deadlines can have catastrophic consequences. And entire university courses have been dedicated to the complexities of legal claims paper-wrangling. Not to mention mastering the various software programs necessary to ensure that a case stays on track.

Making sure that all of these separate parts work together like a finely-tuned engine is Sharon's forte - all while easing the administrative burdens on the partners so that they can do what you need them to do: fight for you in court or the claims process.



And she's been doing it successfully at SAC for more than a decade.

In addition to working alongside the lawyers as a certified paralegal.

Sharon began her legal career as a bookkeeper for another Fort Worth personal injury firm while simultaneously working toward and obtaining her paralegal certification. That experience, together with a later stint with a personal injury lawyer in Granbury, Texas, provided a firm foundation for managing the administrative aspects of the Stephens Anderson & Cummings practice, while at the same time providing invaluable service as a paralegal to SAC clients.

Sharon's memberships include the [State Bar of Texas Paralegal Division](#), the [Fort Worth Paralegal Association](#), and the [National Association of Legal Professionals](#). Her volunteer work includes Wings of Hope Equitherapy and CASA of Tarrant County.

Sharon Davis - another very important reason that SAC should be your law firm.

Let's Win This!

Visit and Explore Our Website

WHY Stephens Anderson & Cummings?

Aggressive. Experienced. Trusted.

Righting wrongs for seriously injured people isn't just a job for us - it's our calling.

Fighting for seriously injured folks is what we do. And it's all we do.

If you want to make a will or form a corporation or conduct a business transaction, we can give you the names of some other lawyers to call.

But if you or a loved one have been seriously injured - or suffered a wrongful death in the family - we're your team. We're AV rated (that's the highest) and we have the drive, experience, and tenacity to stand toe-to-toe with anyone on behalf of our clients.

We're not "TV advertisers." We're real trial lawyers with a long track record of success.

We're not a "mill." We don't take every case that comes along. We understand that your circumstances are as individual as you are.

At Stephens Anderson & Cummings, every single client is unique; every single client is important. We pay personal attention to every single one.

Don't get lost in the shuffle.

Let Us Fight For You

[Compare Our Credentials](#)

Fellow Lawyers: We Value Your Referrals

At Stephens Anderson & Cummings, we appreciate that different lawyers have different areas of expertise. If your clients find themselves in a situation that falls within ours, we would be honored to work with you, helping them obtain justice - fighting for the best possible result.

We work hard, spare no expense, and pay referral fees promptly.

We know that your clients are important to you. We know that you represent them zealously in your area of practice. If we can't help them, we'll send them back to you.

Righting wrongs for those injured or killed due to the negligence or wrongful conduct of others is what we do. Trust us with your client's case and

Let's Win This!

[Click here to learn more about referrals!](#)

Get Help Now

817.920.9000

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*By appointment only

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