

the cert^{*}

WINTER | 2022 | ISSUE TWO

^{*}certiorari, *noun*. From late Middle English Law Latin 'to be informed' originally occurring at the start of a writ

p2

BLOG POST

How an umbrella policy can provide added financial protection

p2

INSIDE CLAW

What's happening at the office

p3

UPDATE ON THE COURTS

The current state of case scheduling

p4

BRIEF WORDS | CHECKLIST

- Thoughts from founder Dave Christensen
- What to do immediately after an accident

CHRISTENSEN LAW NAMES FIRST PARTNER

Sarah Stempky-Kime elevated to Managing Partner

PRIOR TO HER PROMOTION, SARAH SERVED AS THE FIRM'S MANAGING ATTORNEY, A LEADERSHIP ROLE SHE ASSUMED IN 2017. "WE HAVE BEEN GROWING AS A FIRM, AND SHE'S ALWAYS HAD A STRONG HAND IN DECISIONS ON HOW THINGS MIGHT BE IMPROVED," SAYS FOUNDER DAVE CHRISTENSEN, "IT WAS A NATURAL PROGRESSION THAT MADE PERFECT SENSE FOR THE FIRM'S FUTURE." WITH THIS PROMOTION, SARAH BECOMES DAVE'S FIRST PARTNER AT CHRISTENSEN LAW.

Sarah first joined Dave's team at a large, high volume personal injury firm back in 2009, while she was still in law school. Five years later, they set out to launch Christensen Law – in part to create a firm with a goal of not only providing the best legal services possible, but also to build a positive, healthy work environment with equal opportunities for development and advancement.

There are few female partners in personal injury firms in Michigan, placing Sarah again at the forefront of her profession. When asked what advice she might offer to upcoming women attorneys, she posits that it can be challenging in a traditionally male-dominated industry. "But you don't have to work so hard on proving yourself, or adopt a persona when presenting in court. Just put in the work, be genuine, and don't cater to others' expectations of what you should or shouldn't be." What you do need to work hard on, she says, is finding – or creating – the work environment you desire, one that supports your needs and aligns with your own values. And at Christensen Law, Sarah has found just that.



7 ways to reduce stress and relax

1 MOVE YOUR BODY

Whether taking the dog for a walk, doing yoga, or riding your Peloton, moving your body releases endorphins which create a positive feeling in the body and helps mitigate stress.

2 JOURNALING

Putting your thoughts into words may seem daunting, but once you get started, you'll likely find it a healthy outlet. The physical act of writing down your feelings allows for reflection, authenticity, and growth.

3 BE MINDFUL

Be fully aware of the present. This allows us to process our feelings and what's happening without assigning a positive or negative value to them.

Blog Post

People purchase liability insurance policies to cover accidents they may cause. For instance, if you seriously injure someone in a car crash, your liability policy will pay for the damage up to your policy limits. That said, insurance policies don't provide blanket protection.

Suppose the crash resulted in medical expenses exceeding the victim's no-fault insurance limits and they file a personal injury lawsuit against you. Recent changes in Michigan's No-Fault law makes this situation possible, and you could find yourself in a precarious financial position. An umbrella insurance policy could give you an extra cushion of protection, particularly if you have significant assets at stake.

These policies extend your basic insurance coverage to a higher limit. An umbrella policy can protect you from losing assets or having to pay huge out-of-pocket costs if you get sued, dependent on its limits. An umbrella policy covers whatever costs remain after your liability policy's limits are exhausted. Know that umbrella policies have limits, too. So, if you owe more than your coverage, you may still be personally on the hook for some accident-related costs. Umbrella policies can cover damages such as:

- Serious injuries: because Michigan is a no-fault auto insurance state, if you're at fault in a crash, the victim must first turn to their insurance policy (PIP) to cover their medical expenses. However,

if they sustained a "serious injury" such as permanent, significant disfigurement or impairment of a body function, they might be entitled to file a claim for excess medical expenses against you. An umbrella insurance policy protects you in the event of a serious injury car accident.

- Pain and suffering: This can include compensation for physical pain and emotional distress stemming from the crash. Post-traumatic stress disorder is one example of an emotional injury/distress.
- Legal fees: Coverage for legal fees you may incur. Litigation can quickly get expensive, but an umbrella policy will protect you by covering the cost of attorney fees, court costs, and other legal expenses (up to its limits).

Some insurance is mandatory in Michigan. However, we advise clients to buy as much insurance as they can afford. Umbrella insurance policies can provide millions of dollars in extra protection and are generally not expensive. It is prudent to protect yourself financially by adding an umbrella policy to your current auto insurance coverage.

Visit our blog to learn more about safety and liability:
www.davidchristensenlaw.com/blog

Firm News

ATTORNEYS RECOGNIZED FOR THEIR LEGAL PROWESS

Attorneys Tom Economy and Sarah Stempky-Kime were selected to the 2021 Michigan Super Lawyers* list. Dustin Hoff was named a 2021 Lawyers* Rising Stars honoree, and selected to Michigan Lawyer's Weekly's (MLW) Up & Coming Lawyers class of 2021. Members of the class are respected legal practitioners who have established a name for themselves in their first 10 years of practice.

Dave Christensen was inducted into the MLW Hall of Fame. This prestigious award recognizes a select few legal leaders for their distinguished careers and long-term contributions to the community (Dave celebrated his 30th year as a lawyer in 2021).

Deb Tonelli was honored with the MLW's Women in the Law award recognizing legal pioneers, trailblazers, educators, and role models. Check out their profiles on the website to learn more about our professional team.

CLAW was again honored as a Tier 1 Firm, Detroit, for Personal Injury Litigation Plaintiffs by U.S. News – Best Lawyers® "Best Law Firms" for 2022.

L to R: Dustin Hoff, Deb Tonelli, Sarah Stempky-Kime, Dave Christensen, Tom Economy



4 DEEP BREATHING

Tune out distracting and stressful thoughts with the 4-7-8 technique: breathe in for 4 seconds, hold for 7 seconds, then exhale for 8 seconds. This breathing pattern can reduce anxiety and help people fall sleep.

5 SET BOUNDARIES

If you feel over-committed or overwhelmed, evaluate whether setting boundaries could help alleviate stress. This may help preserve relationships and even prevent burnout at work.

6 LISTEN TO MUSIC

Combine with tip #1 and dance like no one's watching! Not sure what to listen to? The Happy Music Playlist on Christensen Law's YouTube channel is a great place to start. <https://bit.ly/3LoUVNt>

7 TALK TO A FRIEND

Instead of internalizing thoughts, turn to a friend to talk through your feelings. Simply being together can be a needed distraction and serve as a reminder that you're cared for and supported.

Courts Update

WHAT YOU NEED TO KNOW

Nearly two years into the pandemic, Michigan's court systems continue to struggle with addressing the public health concerns presented by in-person judicial proceedings. Below is a brief discussion of what the changing landscape means for your case.

The average 12–18-month timeline for a personal injury protection (PIP) case has been dramatically impacted. Many counties have canceled trials due to spread of the Omicron variant. "We expect the average case timeline to increase," says Managing Partner Sarah Stempky-Kime, "because while judges want to try cases, they haven't been able to do so at full strength, and that has created a significant backlog."

This in turn pushes trial dates into 2023, extending case timelines, which would not have happened pre-pandemic. Trial attorney Dustin Hoff suggests that unless your case was filed in 2018, you're probably not near the top of the list, because the order in which cases are heard goes by filing date, oldest to newest. Additionally, courts and judges have also been challenged by the limited number of courtrooms and precautions for proper physical distancing. That said, more rural areas, such as the Thumb, are trying civil cases much faster, almost as they arise.

To improve accessibility, Michigan began streaming court proceedings online so cases could take place remotely. This technology provides flexibility, which in turn benefits our clients, who previously needed to take time off to appear in person for conferences or hearings. Now, clients and their attorneys can attend matters virtually, from wherever is most convenient for them. As counsel, however, we must be aware of the current protocols for each court, because these new methods are not always universal.

While the introduction of virtual court has been advantageous in some ways, it has also produced challenges. Technical issues can sometimes make remote access difficult, or unreliable. Judges

also note that live-streaming can contribute to a loss of decorum and have raised concerns about privacy, the rights of criminal defendants, the rights of victims, and the fair administration of justice.

It's unclear whether live-streamed proceedings will continue to be implemented post-pandemic, or if everything will revert to pre-2020 conventions. We fully support the continuation of remote appearances if the courts deem them permanent.

The current state of play is complicated by COVID on many levels, and defendants are leveraging that. "Justice won't be as expeditious, because without a trial date looming, defendants aren't willing to seriously negotiate on these cases." We anticipate that it will be at least another year before we get back to normal pre-pandemic timelines and traditional motion calls.

At Christensen Law, we understand the frustrations our clients may experience due to the extended timeline of their cases due to COVID-19. Although we cannot control court schedules, you can rest assured that we are still doing everything in our power to ensure you get the justice you deserve as quickly as possible. Our legal team is always available to talk about your concerns and make sure you always know what is happening in your case.



Trial Attorney Tom Economy

STEWARDSHIP • EXCELLENCE • COMPASSION • TEAMWORK

OUR PROMISE TO YOU

Our commitment to you is embodied in a singular objective: to deliver the results you or your family need to recover after a car, motorcycle, or truck accident, or any other accident resulting in catastrophic injury or wrongful death. We will spare no resource to reach that objective and safeguard your future.

248.213.4900

www.davidchristensenlaw.com

serving all of Michigan
from our offices in

SOUTHFIELD | ANN ARBOR

DETROIT | GRAND RAPIDS



BRIEF WORDS FROM DAVE CHRISTENSEN

COMPASSION, PATIENCE & MINDFULNESS

The new year is typically a time for reflection and resolutions. For most, this includes a focus on self-improvement, which many have achieved during the pandemic. But, given the challenges of the last two years, what if we instead approached 2022 with a different mindset? What if we focused on being more compassionate, patient, and purposefully mindful? This could make all the difference in the world.

One of the best ways to employ a compassionate mindset is to be more aware of our words and actions, and how they impact others, both positively and negatively. Here at CLAW, compassion is one of our core values; it is interwoven in our daily interactions with our injured clients who are going through such difficult times, and with each other.

Another novel approach is to actively practice patience. This doesn't mean tolerating abuse or bad behavior, but rather giving people the benefit of the doubt as to their intentions. We can also try to be less critical of ourselves when we make mistakes or don't do things perfectly.

We practice patience daily because we remain at the mercy of the Courts with respect to scheduling trials, which is frustrating for all involved, and has delayed cases for years. In this respect, patience is key, and the understanding that we, too, are keen to advance all cases to resolution. The courthouse is our law firm's 'factory' where we earn our living, and it's been largely closed throughout the pandemic.

Finally, mindfulness is a healthy mode to consider—this simply means being present in each moment instead of being hyper-focused on what has happened or concerned about what might lie ahead. Instead, take the time to focus entirely on whatever task or opportunity is immediately before you. Our job here is to be the mindful stewards of your case so you don't have to worry; you can be assured that we are 100% focused on the desired outcome and will communicate with you every step of the way.

So, here's to a new year filled with compassion, patience, and mindfulness. May we all approach 2022 with an open heart and mind, ready to take on whatever challenges come our way.



WHAT TO DO RIGHT AWAY IF YOU'RE IN AN ACCIDENT

cut this out and keep it in your glovebox

- ☐ **REPORT THE CRASH** – call 911 if anyone is injured and notify the police.
- ☐ **GET OFF THE ROAD** and out of harm's way – after documenting the scene, move the cars off the road, if possible, to avoid another crash. Stay inside with your seatbelt on or stand far off the roadside if weather is not inclement.
- ☐ **ALERT OTHERS** to the accident – turn on your hazard lights and use flares and/or emergency triangles to let other drivers know your vehicle is disabled.
- ☐ **SEEK MEDICAL TREATMENT** if needed – report all your injuries, loss of consciousness, or impacts to the head to the first responders at the scene. If advised by them that you need immediate care, let them transport you to the hospital, or have someone else take you there right away. Even if you don't feel badly hurt, you should go to an ER or your doctor immediately to rule out "hidden" injuries. All injuries need to be documented by hospital personnel or by a doctor afterwards.
- ☐ **DOCUMENT THE SCENE** – take video and photos of the entire scene: damages to all vehicles involved, injuries sustained, road debris and weather conditions (ice/snowy roads, construction obstacles, etc.), skid marks, damaged surroundings (bent/broken signs, guardrails, poles, etc.).
- ☐ **OBTAIN INFORMATION** from all drivers involved: names, contact details, insurance information, vehicle registration, license plates, driver's license numbers. Write down and/or take photos of all documentation.
- ☐ **ASK WITNESSES** for their contact information and details of what they saw.
- ☐ **SAVE DASH-CAM** videos from your own vehicle or those of witnesses.
- ☐ **CALL US** - we can notify your insurance company for you. Notification is mandatory if there are injuries, death, or property damages more than \$1,000.
- ☐ **DON'T MEET OR SPEAK** to any adjuster (yours or the other drivers') who may reach out to you until you've spoken with us.