



CHRISTENSEN LAW

the cert*

SPRING | 2022 | ISSUE THREE

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

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Step-down policies

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\$1.1 million pedestrian accident settlement

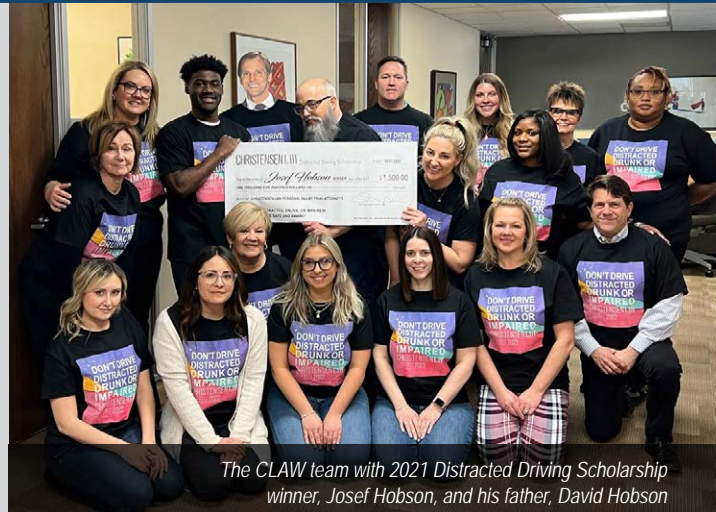
p3 **DISTRACTED DRIVING IN MICHIGAN**
What you need to know and how to protect yourself

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7TH ANNUAL DISTRACTED DRIVING SCHOLARSHIP CONTEST

Any high school senior or college student can enter to win our \$1,500 scholarship grant

THIS YEAR, APPLICANTS MAY SUBMIT AN ORIGINAL SHORT 60-SECOND VIDEO, WRITTEN ESSAY, OR A GRAPHIC THAT WILL SERVE AS A PUBLIC SERVICE ANNOUNCEMENT AIMED AT AN AUDIENCE OF THEIR AGE PEERS. SUBMISSIONS WILL BE ACCEPTED THROUGH JUNE 10, 2022, AND THE WINNER ANNOUNCED ON JUNE 24TH.



The CLAW team with 2021 Distracted Driving Scholarship winner, Josef Hobson, and his father, David Hobson

In the run-up to this year's Distracted Driving Scholarship competition, the expectation was that the pandemic lockdowns may have impacted the statistics in a positive way, but that does not seem to be the case.

Indeed, despite the dramatically lower number of drivers on the road and miles driven in the United States due to COVID-19, fatalities in Michigan jumped 11% higher in 2021, a rise from even the elevated 2020 statistics. 38 states overall saw increases in traffic deaths, largely due to driver behavior. Michigan and the Midwest region ranked in the top five areas in the nation to see a rise in accident-related fatalities.

"The fact that these numbers continue to rise is of grave concern," says Christensen Law founder Dave Christensen, "and it is ever more important to reinforce the message to our younger drivers about the dangers of impaired, distracted, and drunk driving." That's why the firm continues to encourage awareness through its annual scholarship program.



VISIT DAVIDCHRISTENSENLAW.COM/SCHOLARSHIP TO ENTER!



14 good reads from our team

ATLAS OF THE HEART
Brene Brown
Recommended by Kay-Lynn

WHERE THE CRAWDADS SING
Delia Owens
Recommended by Sarah

THE IMPERFECTIONISTS
Tom Rachman
Recommended by Deb

BE HERE NOW
Ram Dass
Recommended by Tom

GIRL WASH YOUR FACE
Rachel Hollis
Recommended by Courtney

THE SEVEN HUSBANDS OF EVELYN HUGO
Taylor Reid
Recommended by Lori

Blog Post

Every motorist in Michigan is expected to carry auto insurance. Most believe that their policies will protect themselves and any family members who are injured in a wreck. But not so fast — if your auto insurance policy has a step-down clause, you may find that your family members have far less coverage than you think.

A step-down clause — also known as an “intra-family limitation clause” or “intrafamily exclusionary clause” — prohibits family members from collecting the full amount of injury coverage if they are hurt in a wreck, instead reverting to the state bodily injury limit of \$50,000. Insurance companies claim that step-down clauses can prevent fraudulent claims. But in reality, they’re unnecessary, as committing insurance fraud is already a crime in Michigan. (See MCL 500.5411(1)).

DO I HAVE A STEP-DOWN CLAUSE?

Most consumers are unaware of whether their car insurance policies have step-down clauses. Our attorneys have curated a list of insurers that, at last check, include them in their policies:

- Progressive
- Geico
- Farm Bureau
- USAA
- Grange
- AAA

If you find that you do have a step-down clause in your policy, it’s highly recommended that you change insurers. Serious injuries in a car accident can easily exhaust the Michigan \$50,000 limit.

HOW AUTO INSURANCE STEP-DOWN CLAUSES HURT MICHIGAN FAMILIES

You may have purchased \$500,000 in coverage for you and your family, but the 50k limit may leave a family member on the hook for any expenses that exceed that amount under a step-down.

HELPFUL TIPS

- If you don’t know, ask. Talk to your insurance agent about the terms of your auto policy. You can also ask a lawyer to review the terms to look for hidden language that could trip up any future injury claims you or a loved one may need to file.
- Spread the word. Tell friends and family members about the dangers of step-down clauses.
- Stuck with a step-down clause? Change insurers. You are far more likely to be injured in a car wreck with a family member as your passenger compared to a friend or non-relative.

Not sure if you’ve got the answers you need? Our attorneys can review your car insurance policy for you. Christensen Law is committed to educating Michiganders about the auto insurance pitfalls that can limit their ability to recover compensation if they’re ever hurt in a wreck.

Visit our blog to learn more about step-down clauses and how you may be affected: <https://www.davidchristensenlaw.com/blog>

Case Study

Car crashes cause plenty of damage on their own, but when a pedestrian is hit by something as large and heavy as a vehicle, the results can be truly catastrophic.

Pedestrians don’t have the same protection that occupants of cars do. Instead, they must rely on the attentiveness and respect of drivers when their paths cross. When someone neglects their responsibilities in traffic, pedestrians often suffer the worst consequences.

For example, in a recent third-party auto and underinsured motorist case, Christensen Law Managing Partner Sarah Stempky-Kime secured a pre-suit settlement of \$1.1 million (the insurance policy limit) for her client who suffered severe injuries as the result of a pedestrian crash - including a traumatic brain injury, multiple fractures, and a punctured lung.

While we cannot erase the life-changing trauma accident victims face, our attorneys strive to give our clients some peace of mind by obtaining the financial resources needed for their recovery.

If you or someone you love was seriously injured in a pedestrian accident, it’s common to feel overwhelmed and uncertain about what to do next; however, you don’t have to face these challenges alone. Our experienced attorneys are here to provide much-needed advice about your legal rights and options at no cost to you.



NO EGO

Cy Wakeman
Recommended by Dave

AN INVISIBLE THREAD

Alex Tresniowski and Laura Schroff
Recommended by Leanne

DAISY JONES AND THE SIX

Taylor Jenkins Reid
Recommended by Sarah

PILLARS OF THE EARTH

Ken Follett
Recommended by Dave

UNTAMED

Glennon Doyle
Recommended by Stephanie

THE ORDER OF TIME

Carlo Rovelli
Recommended by Eileen

THE BOOK

Alan Watts
Recommended by Stephanie

FOUR WINDS

Kristin Hannah
Recommended by Leslie

Distracted Driving in Michigan

WHAT YOU NEED TO KNOW

Michigan's House of Representatives has made great strides towards saving lives by passing three bills to strengthen the state's distracted driving law and increase penalties for violations. Current Michigan distracted driving law only bans texting while driving. Nothing prohibits a driver from solving the daily Wordle, playing video games, streaming movies, and watching or recording videos behind the wheel — all activities that are just as dangerous as reading, typing, or sending a text message.

THE NEW LAW

- HB 4277: Prohibits using mobile electronic devices unless in hands-free or voice-operated mode. Drivers also cannot use devices to access, read, or post on social media or watch, record, or transmit videos.
- HB 4278: Increases penalties for distracted driving. The fine for a first offense increases to \$100 and \$250 for additional offenses. Drivers will also have one point added to their driver's license for a second offense and two points added for subsequent violations.
- HB4279: Bans all cell phone use for teenagers, even in hands-free or voice-operated mode. Exceptions apply for car accidents, emergencies, and if drivers believe they are in danger.

The next step is for the bills to pass the Senate and go to Governor Gretchen Whitmer to be signed into law.

TEXTING WHILE DRIVING LAWS

Since 2010, the fine for texting while driving in Michigan has been \$100 for a first offense and \$200 for subsequent offenses. However, distracted drivers may also be subject to civil penalties if they cause accidents that seriously injure others. Victims could be entitled to file a personal injury lawsuit against a distracted driver if their injuries meet the criteria for a serious injury under Michigan law.

WHY WE NEED BETTER LAWS

Traffic crash data points to why Michigan needs stronger distracted driving laws. According to Michigan Traffic Crash Facts, 14,236 motor vehicle crashes involving a distracted driver occurred during 2020 in Michigan, 48 of which resulted in a fatality. With a total of 2,213 crashes, Wayne County yielded the highest number of distracted driving accidents. Rear end distracted driving crashes were the most common, accounting for 44.7 percent of all incidents. Nationally, distracted driving claimed 3,142 lives in 2020 according to the National Highway Safety Traffic Administration (NHSTA), making it the cause of 8.1% of all fatalities that year.

These staggering statistics show the grave consequences of distracted driving and reinforce the necessity to strengthen laws to prevent it. Officials support expanding the current distracted driving law because the existing one is difficult to enforce. With texting as the only offense, drivers could easily say they were engaging in another activity and be compliant with the law.



CLAW team members Courtney and Ericka demonstrate how passengers can also help prevent distracted driving

CLAWEd
keeping you informed, always

DEPOSITION

A deposition involves the taking of sworn, out-of-court oral testimony of a witness that may be reduced to a written transcript for later use in court or for discovery purposes

CHRISTENSEN LAW

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BRIEF WORDS FROM DAVE CHRISTENSEN

SPRING INTO A NEW VIEW

They say March comes in like a lion and goes out like a lamb, but while our first few days of April were still a bit fierce, we're beginning to see what the nascent Spring might herald for us here in Michigan.

The change of seasons – and especially this one – can bring a renewed sense of optimism and possibility. It provides a chance to shake off the dark chill of the last quarter, venture out, and take in everything that is developing around us – trees and shrubs coming into foliage, flowers

blooming, wildlife at play, and all that was winter dormant emerging once again.

While our natural inclination is to hyper-focus on the future or the past, and our lingering concerns or anxiety about the unknown, this season is an ideal time to seek out and embrace positivity.

Nature's perpetual cycle of renewal reminds us to take a fresh look at our own lives and see what opportunities might lie within our immediate reach. It may be a different activity, or routine, or visiting somewhere you

haven't before – what might seem insignificant can be a very powerful catalyst for change.

I, too, have to remind myself to forego the stationary bike and its virtual paths and instead head outside to walk in the sunshine.

So as the days get longer and warmer, my simple advice is to take a deep breath, open your mind, and refresh your view – you may find that Spring provides you with a healthy, more positive perspective.

Be well,

DISTRACTED DRIVING WRECK-LESS CHECKLIST

helpful tips to keep you safe

- Put on any accessories such as glasses or sunglasses before starting the car.
- Adjust seats, headrests, vehicle controls, and mirrors and fasten your seat belt before moving.
- Keep reading materials and other eye diverters out of reach.
- Adjust the stereo volume to a level that still allows you to hear emergency sirens – do not wear headphones!
- Enter your destination into the GPS system or phone before moving from a parked position.
- Stop in a safe area before tending to your children or pets, put the car in park when you stop.
- Never apply makeup, fix your hair, polish your nails, or change clothes, etc. while driving.
- Avoid eating or drinking when the car is in motion.
- No texting, phone calls, taking photos, or other device interaction.
- Keep your eyes on the road and your hands on the wheel at all times.