

With This Issue:

- New Attorney, Greg Placke, joins firm.
- J&P to offer new client services
- Firm Newsletter started to help clients with common problems
- Auto Insurance - What you don't know about automobile insurance can hurt you.

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Law Firm Announces New Associate and New Legal Services

Johnson & Placke, the oldest active law firm in West Monroe, La., is proud to announce the association of Greg Placke as the newest member of its legal team. Greg, son of partner Allan Placke, has officially joined the firm's staff of attorneys as of October 18.

Beginning this month the firm will offer expanded legal services in the area of estates, corporate work, domestic law and criminal matters. The partners feel that the new addition to its staff will allow Johnson & Placke to offer a greater range of legal representation to its clients.

"Many of our personal injury clients asked us to represent them with other problems. Because our firm specialized in a civil trial practice, a client needing representation in other areas of the law was usually referred to another attorney. With Greg Placke on board, we



Greg Placke

look forward to providing the services many of its clients have

Notable Quotes

"Say what you will about the Ten Commandments, you must always come back to the pleasant fact that there are only ten of them."
H. L. Mencken 1880-1956

Firm Starts Newsletter

This month is the beginning of a newsletter the firm is publishing for its clients. The purpose is to provide information on helpful topics of public interest.

The first topic, written by Allan Placke, and titled, "So You Think You Have Full Coverage," discusses the area of automobile insurance coverage. At the end of the article is a check list to help analyze your present coverage.

"We hope this will be a helpful tool to help our clients with the next time they talk to their insurance agent. Feel free to share this with your family members and friends."

Our clients are often confused about their automobile insurance coverage and frequently get bad advice from their insurance agent. So we decided to help. Most of the information in the article is based on actual case files.

So You Think You Have "Full Coverage"

An Automobile Insurance Primer by Allan Placke

Many times when I ask a client about his automobile liability insurance after an accident, the client tells me that he has "full coverage." They are usually shocked when I tell them that there is no such thing as "full coverage" in Louisiana. Every driver is required by law to carry liability insurance. Un-

insured motorist coverage, medical payments coverage and collision coverage are optional. It is amount of the liability coverage that is important as well as the amounts of optional coverage.

Louisiana has minimum liability limits of \$10,000 per person, \$20,000 per accident,

and \$10,000 property damage. These are commonly called 10/20 policies. These minimum policies provide little protection as it is quite easy to exhaust the limits with any kind of an injury. Even if no one is hurt in the accident, the property damage can easily exceed \$10,000 to

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So You Think You Have “Full Coverage” (cont'd from P. 1)

“Louisiana probably has more uninsured drivers than any state with the exception of Mississippi.”

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the other vehicle. The person at fault in the accident is responsible for any damages that exceed his limits of coverage.

How much liability coverage should one carry? It depends on your assets and economic condition. The more assets that you have, the more coverage you need. Your insurance agent should be able to provide you with guidance as to the right amount of coverage. Many companies will sell you an umbrella or excess liability policy fairly cheaply if your limits are \$100,000/\$300,000 or above. The cost of an excess or umbrella policy is quite cheap and well worth the price. It covers you if you injure someone and the damages exceed the limits on your automobile policy.

Louisiana probably has more uninsured drivers than any state with the exception of Mississippi. Louisiana also has the lowest automobile minimum limits in the United States. Uninsured motorist

coverage provides benefits if you are injured or damaged by an uninsured driver or one that does not have enough insurance to cover your losses. No one should be without uninsured motorist coverage in Louisiana. Most of the cost of an automobile policy is for liability coverage and uninsured motorist coverage is cheap. I would recommend that you carry as much as you can afford. Uninsured motorist coverage follows you so you have the coverage if you are a pedestrian or in someone else's car when injured by an uninsured motorist. Uninsured motorist coverage also covers you if you are injured by a hit and run driver and there is physical contact or if an independent witness saw the accident. Do not carry economic UM only as it affords very little protection and only covers your economic losses such as lost wages but not pain and suffering, scarring, disability, emotional distress, and other injuries. Carry uninsured mo-

torist coverage that affords you full protection from an uninsured motorist.

Medical payments coverage provides for payment of your medical expenses if you are injured in an car accident. It does not matter who is at fault in the accident. It will pay your medical bills up to the amount of the medical payments coverage that you carry. There is no deductible so it is better than most health insurance policies. It also supplements uninsured motorist coverage. Again, your insurance agent should be able to recommend the amount you should carry.

Collision insurance coverage covers the damage to your vehicle regardless of fault. Whether to carry this coverage depends on the value of your vehicle balanced against the cost of the coverage. The more your vehicle is worth, the more incentive and need to carry collision coverage. Again, your agent can advise you if

“The owner of this vehicle, his family, and any passengers are uninsured to the tune of tens of thousands of dollars should they suffer serious injury, disability or, God forbid, death, at the hands of an uninsured driver.”

Good Examples of Bad Insurance Coverage

Let's take a look at a few samples of insurance policies being delivered in Louisiana. The following examples are actual copies of policies in client files. There are included as illustrations of what you should watch for when purchasing automobile insurance.

No Bodily Injury Uninsured Motorist Coverage

The first example is taken from a State Farm Automobile Policy. Here the agent probably talked the owner of the vehicle into saving money by selecting UEO (Economic Only Uninsured Motor Vehicle) coverage.

What does this mean? If this vehicle is hit by an uninsured vehicle, which we know is highly likely in Louisiana, State Farm will only pay for

STATE FARM Insurance Declaration	
Coverages and Limits	Premium
A Liability	
Bodily Injury 10,000/20,000	
Property Damage 25,000	241.9
C Medical Payments 5,000	23.1
D 100 Deductible Comprehensive	104.6
G 500 Deductible Collision	247.1
H Emergency Road Service	3.5
UEO Economic Only Uninsured Motor Vehicle	
Bodily Injury 10,000/20,000	15.2
Total Premium	\$635.4

out of pocket expenses, and loss of income (economic losses). There will be no recovery for the passengers injuries, disability or death. Thus to save, let's say, \$150 a year for Uninsured

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Good Examples of Bad Insurance Coverage (cont'd from P2)

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Motorist Bodily Injury Coverage, The owner of this vehicle, his family, and any passengers are uninsured to the tune of tens of thousands of dollars should they suffer serious injury, disability or, God forbid, death, at the hands of an uninsured driver.

What the agent is doing is reducing State Farm's damage exposure by pretending to do his policyholder a favor. Notice the carefully worded language employed here: UEO Economic Only Uninsured Motor Vehicle combined with the term Bodily Injury 10,000/20,000. How many people understand that Economic Only does not cover Bodily Injury but only economic losses suffered in connection with a bodily injury. The insurance agent has talked this policyholder into waiving the only protection he, his family and passengers have against an uninsured driver. The sole motive here is to reduce the insurance company's exposure to legitimate claims.

Lower Uninsured Motorist Coverage

Let take a look at another policy, this time from All State. In this instance the policyholder has done much better, either through being informed, or more unlikely, having an insurance

ALLSTATE Insurance Declaration			
COVERAGE	LIMITS	SEQUENTIAL	PREMIUM
Automobile Liability Insurance			\$383.27
• Bodily Injury	\$100,000	each person	Not Applicable
	\$300,000	each occurrence	
• Property Damage	\$100,000	each occurrence	
Automobile Medical Payments	\$25,000	each person	\$20.13
Auto Collision Insurance	Actual Cash Value	\$500	\$226.71
Auto Comprehensive Insurance	Actual Cash Value	\$100	\$188.22
Towing and Labor Costs Coverage	\$50	each tow/haul	\$1.50
Uninsured Motorist Insurance	\$25,000	each person	Not Applicable
for Bodily Injury	\$50,000	each accident	\$68.89
Total Premium for 03 Chevy Trk Silverado			\$814.82

agent that is looking after the policyholder's best interest. The good part about this policy is that the \$100,000/\$300,000 limits of liability insurance, will make the owner eligible for an excess insurance policy. This is insurance coverage, usually in amounts of \$1,000,000 or more, which can be purchased if the policyholder has underlying coverage in the amount of \$100,000/\$300,000. The benefit is that excess coverage for such large amounts is generally very cheap when compared to the base policy.

Another strong point is the coverage for Uninsured Motorist Insurance for Bodily Injury, which in this case is \$25,000/\$50,000. Notice the premium for this type coverage is only \$68.00 per policy period. When you see what a

bargain it is, you start to understand why the insurance industry tries its best to discourage such coverage. Alstate also gets points in this instance for laying out the coverage clearly in the declaration.

The down-side to this policy is that once again, the policy holder has elected to reduce the only insurance which provides coverage for himself, family and friends, in the event they are victims of an uninsured motorist. By law, the insurance company, in this case Allstate, had to offer the policyholder the same amount of uninsured motorist coverage as his liability coverage which is \$100,000/\$300,000. If the policyholder, (usually following his agent's suggestion) selects less than this amount state law dictates that he must sign a document declaring that he has made such a decision.

Policy Hides Lack of Coverage

The biggest problem for the policyholder arises when no uninsured motorist coverage is selected. In that instance there would be no mention of the uninsured motorist coverage since it would not print at all. A better system would have Uninsured Motorist Coverage Bodily Injury - Declined. This would give the uninformed policyholder notice that he did not have "full coverage."

Take for the instance the sample of the AIG policy below. Here the policyholder has

AIG Insurance Declaration		
INSURANCE IS PROVIDED WHERE A PREMIUM IS SHOWN		
COVERAGE	LIMITS OF LIABILITY	
LIABILITY COVERAGE		
BODILY INJURY	\$25,000	EACH PERSON
	\$50,000	EACH ACCIDENT
PROPERTY DAMAGE	\$25,000	EACH ACCIDENT
COVERAGE FOR DAMAGE TO YOUR AUTO		
COMPREHENSIVE	\$500	DEDUCTIBLE
COLLISION	\$500	DEDUCTIBLE
		TOTAL

declined uninsured motorist coverage and the declaration makes no mention of its existence. The uninformed policyholder would probably take a quick glance at this declaration page, and seeing that all items have an amount beside them, would mistakenly think, "I have full coverage." Rest assured that if the insurance industry wanted you to have this coverage, there would be more print on this page boldly declaring, one way or another, that the policyholder is "uncovered."

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"The insurance agent talked this policyholder into waiving the only protection he, his family and passengers have against an uninsured driver."

"Unless a person had the good fortune to have an honest insurance agent or the misfortune to have been hit by an uninsured motorist, he probably does not understand uninsured motorist coverage."

J&P

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**Based
 experience, we
 estimate that
 95% of the
 people in
 Louisiana do
 not fully
 understand
 insurance
 coverage.**

**We're on the web
 JohnsonPlacke.com**

Johnson & Placke L.L.P.

Coverage Hidden By Confusion

Our final example disguises the coverage by showing everything. Farm Bureau puts every type of coverage possible on its declaration page accompanied by a check box to indicate coverage. While this approach would seem to address

the problem discussed above, in practice, only a policyholder armed with a magnifying glass and a code book on abbreviations could determine the coverage provided by the policy. Thus the unfortunate policyholder is left but one choice - trust his insurance agent to see that he has "Full Coverage."

FARM BUREAU Insurance Declaration

COVERAGES: BI (A) AND PD (B)	UMBI (U)	UMPD (P)	MED (C)	QUMP (D)	COLL (E)	DIS (G)	Writing Agent Code
AB <input type="checkbox"/> ADD <input type="checkbox"/> CANCEL <input type="checkbox"/> CHANGE A. 100,000 EACH-PERSON 300,000 EACH-ACCIDENT B. 50,000 EACH-ACCIDENT	U1 <input type="checkbox"/> 1. U-B <input type="checkbox"/> 2. U-B <input type="checkbox"/> 3. U-B <input type="checkbox"/> 4. U-B <input type="checkbox"/> 5. U-B <input type="checkbox"/> 6. U-B <input type="checkbox"/> 7. U-B <input type="checkbox"/> 8. U-B <input type="checkbox"/> 9. U-B <input type="checkbox"/> 10. U-B <input type="checkbox"/> 11. U-B <input type="checkbox"/> 12. U-B <input type="checkbox"/> 13. U-B <input type="checkbox"/> 14. U-B <input type="checkbox"/> 15. U-B <input type="checkbox"/> 16. U-B <input type="checkbox"/> 17. U-B <input type="checkbox"/> 18. U-B <input type="checkbox"/> 19. U-B <input type="checkbox"/> 20. U-B <input type="checkbox"/> 21. U-B <input type="checkbox"/> 22. U-B <input type="checkbox"/> 23. U-B <input type="checkbox"/> 24. U-B <input type="checkbox"/> 25. 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Conclusion:

Trusting your agent, in can get you into a lot of trouble.

Do not feel bad if you have a hard time understanding an insurance policy. Based experience, we estimate that 95% of the people in Louisiana do not fully understand insurance coverage. Unless a person had the good fortune to have an honest insurance agent or the misfortune to be hit by an uninsured motorist, he probably does not understand uninsured motorist coverage. Because of this most people rely on their agent to "keep them covered." Trusting your agent, in can get you into a lot of trouble.

It is obvious that the insurance industry does not like uninsured motorist bodily injury coverage from the numerous ways it attempts to discourage its policyholders from selecting such coverage. Yet, we know from a legal standpoint there is no coverage that is more important for the policyholder and his family.

At the end of this newsletter you will find a checklist to help you the next time you talk to your agent about automobile insurance. Try it and see if it makes a difference.

Information on Technology Services for Our Clients

While lawyers are not traditionally known for their high-tech skills, Johnson & Placke has invested heavily in technology in order to provide the best quality legal services to its clients. Around 1999, we began a process of scanning every document that came through the door so that we could put it on the computer. By doing this each lawyer in the firm as well as certain staff members have access to every document in a case through a computer connection. Should a client desire a copy of his file at the close of

a case, it can be given to him on a standard CD or DVD.

We also make heavy use of the internet. This gives us the ability to communicate almost instantly with our clients and other attorneys. Documents and exhibits can easily be sent over the internet for review and approval.

Beginning in 2008 the U.S. Federal Courts are requiring that all pleadings be filed by using the internet. Because of our commitment to technology, Johnson & Placke is fully prepared to meet this new requirement.

We also have a web site. In order to get information such as that contained in this news letter, we are making preparations to have each issue published on our website, so our clients and any other interested parties can have access to the information.

