PATTON & PATTON

EVERY PERSON'S GUIDE TO SAVING THOUSANDS OF DOLLARS:

Your Auto Accident Claim

By Attorney Joe Patton

I'm a "Dot." I grew up in Kansas City in Wyandotte County, hence the tag. I moved to Topeka to attend Washburn University, married Cindy, stayed in Topeka, raised our four children, and have been practicing law in the courtrooms throughout Kansas and Missouri ever since. Active in my local church, I am supportive of various charities, including my favorite the Topeka Rescue Mission, an organization devoted to providing shelter for the homeless. If you want to donate to them let me know, I can arrange that. When I'm not busy helping my clients of Patton and Patton, you will find Cindy and I watching one of our nine grandkids play basketball on the weekend or taking them fishing.

I decided to become a lawyer as a child after watching the Perry Mason TV show. If you have never watched a Perry Mason show, try it, you will find him a champion for his clients. I am a 1977 graduate of the Washburn University School of Law (after attending Washburn University for undergraduate work). Since then, I have been practicing exclusively in the areas of personal injury, medical malpractice, auto accident claims, and workers' compensation, so I've got the experience to help you.

The focus of my practice is providing useful information to injured individuals, and that is why I wrote this book. You will find the following in this book:

- **How you can save thousands of dollars.**
- **A free self-assessment that will help you decide if you need a personal injury lawyer.**
- **The least you need to know if you will handle your own claim.**
- **A self-assessment to help discover the right law firm for you.**
- **How you can get a free auto accident report.**
- **What forms should you sign, and when?**
- **I threw in a story or two about the family and me, including a story on how to make French Onion Soup just for the fun of it.**

Table of Contents

HOW YOU CAN SAVE *THOUSANDS OF DOLLARS.*

Don't sign insurance papers right away and, when you do, know what you are signing. One wrong decision cost one person $100,000! I won't reveal his name, but this mistake was catastrophic, particularly since he was seriously injured. He had a clear liability case. His family repeatedly said that maybe he needed to hire a lawyer, but he put it off thinking, "I have a lot knowledge." "I can get it all done and save money." "It would be too hard to find the right lawyer." These excuses were enough to keep him from making the right call. Eventually, after enough cajoling, he acted. He called me only to discover it was too late. He had signed a release without giving proper notice to his own insurance company. He discovered, to his horror, that the under-insurance company was off the hook for thousands of dollars, he had lost One Hundred Thousand Dollars!

Many people sign away their rights by signing a Release of Liability, thinking it's a release for medical records, I will give more information on this in the material below.

Discover if you need to hire a lawyer or whether you can handle it on your own. Sometimes, you will end up in the same place with or without a lawyer. In certain types of cases, you can afford to do it yourself (DIY).

If you need to hire a lawyer, hire the right one, again you will find more on this topic below.

You can save thousands by looking closely at the attorney fees contract. One lady recently hired our firm after reading contracts from several firms and finding in the fine print that the percent firms charge on appeal was as high as 55%! Ask your Attorney if there is an increase in attorney's fees when a lawsuit is filed or when the trial begins. Since 90% settle before trial, a contract that does not allow for an increase until the trial starts or doesn't increase on appeal can save you thousands.

You can save thousands of dollars by handling the claim yourself, but if you try to handle the wrong claim by yourself, you can lose thousands! I will tell you which is which and if you can handle your case. There are certain cases you should not take to a lawyer. These cases are not complicated, and the lawyer's fee will be more than the value. Below we included a Self-Assessment Form to help you decide if your situation fits into this category.

READ ON...

Self-Assessment Form

1. Did you get injured in Kansas?
2. Was the other driver at fault?
3. Was there some damage to your car?
4. Did you get medical treatment?
5. Were your medical bills over $2,000?
6. Did the accident happen within the last two years?

If you can answer yes to all these questions, then call me, I will give you a free in-depth evaluation of your claim and a free auto accident report.

If some answers are no, then you might be able to handle your claim on your own. Seven out of ten people lose their auto accident claim because it was not the other driver's fault, or because the facts are so unclear that it's impossible to determine. In Kansas, if 50% or more of the responsibility is on you, then you get no recovery. If there is no damage to the car or if there is no medical treatment, then the jury will find it hard to believe you were hurt, and it will deny their claim. In such cases, you may not want to start a claim.

READ ON...

The least you need to know If You Want to Handle Your Own Claim.

What should I sign?

Insurance forms will fill up your mailbox after a car accident like political postcards during the primary season. Should you sign these forms? The answer is no, at least, not at first.

Never sign something you don't understand. We will give you some general background information that will help figure this out.

Before you sign any documents, authorizations, releases, or contracts, it would be smart to discover if this is the kind of case you should handle on your own without a lawyer. Certain types of minimal injury or property damage claims you can handle on your own and will probably get to the same place with or without a lawyer. I will not take your case unless I believe I can add value over and above what you can get on your own. There are certain cases with serious injuries you can handle on your own because if there is limited insurance and no chance to recover a judgement you will end up in the same place. However, for other matters that are more complicated involving proof of liability, future damages, uninsured or under-insured issues, policy limits, or when the insurance company makes a low-ball offer, you will probably need an attorney. Sometimes cases fall somewhere in the middle, and folks will hire a lawyer because they know it's just a hassle to deal with all the red tape themselves.

Let's assume you will be handling this yourself. Your case will involve three claims, a property damage claim, a no-fault claim, and a liability claim.

WARNING:

Don't sign a Release of Liability right away.

Some adjusters will call you within days and offer you a small amount and get you to sign a release of liability. I remember one case where the adjuster appeared at the hospital and got the injured person to sign a release when she was doped up on medication! I got the release set aside for fraud, but don't count on that every time. Your signature on a release of liability ends with your claim. If the check is large enough, that is fine. However, right after the accident, you do not know the extent of your injuries, disability, or what future medical bills you may have. I had one client with a back injury from the accident, but the pain declined within weeks and she thought she was okay. So without talking to a lawyer, she signed a release settling her claim. Only later, when the pain returned, did she have a Cat scan and discovered a herniated disc that required surgery, lots of medical bills, and future loss of income. An adjuster got to her first and talked her into signing a release of liability early. So sad. It is best to wait until you know for sure. I will help you decide if the offer is large enough; I have a paragraph below on how to value a claim.

DIY (Do It Yourself) Property Damage Auto Accident Claims

If you were not injured and you are only talking about property damage, then most folks handle those cases on their own. It's not that a lawyer would not help you; their expertise is always helpful. However, if you will handle a claim on your own, a property damage claim has the least risk. I will assume that the other driver is at fault and that you will be making a claim against his or her insurance company. At the time of the accident, I hope you exchanged names, insurance information, reported the accident to the police, and took photos of the damage in both vehicles and of the other driver. (I once had a case where the other driver lied about his contact information, and the only way, we tracked him down with our investigation was by having a good photo.)

You are entitled to the fair market value or cost of repair, whichever is lower. If your repair shop "totals" the car, that means the cost of repair exceeds the value. You will need to get written values from a dealer or a bank. It will be hard to negotiate with the insurance company unless you have something in writing from an expert supporting your view of the value for the vehicle.

If the insurance company repairs your car, they will arrange for you to rent a car. Check with your insurance agent before you rent the car because the rental company will try to sell you extra insurance you may not need. Ask your insurance agent if you are covered already for the rental. If they take a while to come up with the value of your vehicle, they will usually arrange a rental or pay you for its loss of use.

If your car is repaired, you are entitled to how much value the car lost in the collision, although you may have to sue to get it.

READ ON...

What if the other driver does not have insurance?

If you have full coverage on your car, which includes collision coverage, then you can make this claim through your own company. The process is generally the same as that above, except you will have a deductible. If your claim is $5,500 and your deductible is $500, then you will be getting $5,000. Talk to your agent about how much of a deductible you have on your car. Your insurance company will then sue the other driver and reimburse you the deductible when it gets a recovery.

What if you have a loan?

One client had a vintage Kia, which worked just fine, but the market value had dropped, so after the accident, the car was worth less than what she owed, but she was saved by having GAP insurance. If you have a loan on the vehicle, and its value is less than the loan, contact your GAP Insurance company. GAP insurance protects the borrower if the car is totaled by paying the difference between the cash value of a car and the balance still owed on the financing. If you don't have Gap insurance and the car's value is less than the amount owed, all the money is going to your lender, and you will be left holding the bag on the rest of the loan amount. We see this a lot, sadly. You should never borrow more money than your car is worth; it's just not going to work out for you if you have an accident.

Negotiating the amount

Americans just don't like to negotiate, but if you will handle your case, you will need to learn the art of negotiation. First off, don't be in a hurry. Most insurance companies will increase their initial offer, but usually not a lot. Ask them to send you the written estimates and then scrutinize the paperwork. Are they evaluating the same year and model as your car? Are they looking at vehicles in your town? The market varies significantly from city to city. Are they looking at vehicles with the same list of extras as your car? Did you make improvements on your car? If so, document the improvements. Negotiating is hard for most Americans. We are used to going into a store or online, seeing a price, and paying it. Negotiating a claim is more like e-bay. You will make a bid. The insurance company will make a bid. When you meet in the middle, the case is settled, and they will send you a check. In property damage claims, if you document your position and negotiate with the adjuster, you will end up in the same place without hiring a lawyer.

Should you take the case to court if you don't agree? Probably not. It takes a long time, and it's costly. However, some folks will go to small claims court, where they do not allow lawyers. Call your local county court clerk for details about small claims court forms. If you can get a lawyer to take a property damage case, there is a statute that allows attorney fees to be awarded, but it is seldom used.

DIY Auto Accident Claim PIP Benefits

You don't need a lawyer for a PIP (Personal Injury Protection) claim. You have in your policy something called PIP benefits, also called no-fault benefits.

PIP benefits include disability benefits (loss of wage check), funeral benefits, medical benefits, rehabilitation benefits, substitution benefits, and survivors' benefits. Kan. Stat. Ann. § 40-3103. Most of these benefits are straightforward, but two may need some explanation. "Rehabilitation benefits" means allowances for all reasonable expenses, up to a limit of not less than $4,500, for necessary psychiatric or psychological services, occupational therapy and such occupational training and retraining as may be reasonably necessary to enable the injured person to obtain suitable employment. Kan. Stat. Ann. § 40-3103

"Substitution benefits" means allowances for appropriate and reasonable expenses incurred in obtaining other ordinary and necessary services in lieu of those that, but for the injury, the injured person would have performed for the benefit of such person or such person's family, subject to a maximum of $25 per day for not longer than 365 days after the date such expenses are incurred. Kan. Stat. Ann. § 40-3103. That's a hard sentence to read. It means if you have to hire someone to do something you usually do, but can't do because of the injury, you can pay them up to $25 a day, and the insurance company has to repay you.

Step one is to notify your own insurance company of the accident and ask them to send you a PIP or Personal Injury Protection form. Your insurance company will send you an insurance form; to get the benefits, complete the form, and sign it. List all your injuries, being careful not to think that any injuries are too minor. The space to record the injuries is small, but if you run out of room, you can add a page or write the information on the back. They will pay the benefits usually with no problem. They do get repaid out of your liability settlement, although you can, in certain situations, negotiate a lower amount if there is some fault on you or if the settlement doesn't duplicate the payments.

You will run into problems making a wage claim if your doctor didn't give you an off-work slip, so request one. Get your employer to fill out the wage verification form because your insurance company will not pay the claim without it. Next, make sure your physician fills out the physician report too. If you stop treatment and decide you will get treatment again six months later, the insurance company will hesitate to pay you the benefit. Remember, if you skip treatment for a long time after the accident and then get treatment, the insurance company will probably not pay. Both of these indicate that maybe you were not hurt; most folks, if they are injured, go to the doc. The opposite problem is over-treatment when certain medical providers will treat and treat and treat. It's a matter of opinion as to whether the treatment is necessary. Remember, your insurance company only has to pay if it's necessary. If you don't hurt, or if you are not getting a real benefit from the treatment stop. Don't assume it will increase the value of the liability claim; it might just have the opposite result. Treat the insurance company money like your own is a good rule, if you would not get the treatment if it were your own money, then don't.

When you're injured who gets the bill first?

Send the bills to your auto insurance company under the PIP policy first. You might ask why not bill the insurance company for the at-fault driver? Good question. The driver at-fault and his or her liability insurance are responsible, but it often takes a long time to process the liability claim. You will not want to close your liability claim until you know the extent of your injuries. Usually, the medical provider does not want to wait for payment and will report you to the credit bureau if it is not paid soon. The solution is to have your insurance company pay the medical provider under the personal injury protection or PIP policy. They will be reimbursed from the liability company later.

When you see your doctor, show your medical provider your auto insurance and your health insurance or health plan cards. Then tell your provider to bill your auto insurance first. Once these PIP benefits are exhausted, tell your medical providers to bill your regular health insurance or health plan.

Insurance companies, PIP forms can be tricky. Having an attorney to assist you can be a big help. Filling out and returning this form to the insurance company will usually get your medical bills paid.

READ ON...

Send a forbearance letter.

After your PIP policy and your medical plans have paid, there might be some deductible or co-pays for you, the patient. We can send a letter to your medical provider asking for them to forbear on collections until you get the liability recovery.

The liability recovery is the settlement or judgment amount paid after the case is settled or tried. This amount will include claims for your injuries, pain, and suffering, disability, and economic damages. Pay any unpaid medical bills out of this liability recovery amount.

Keep a record of your bills

After an accident, you could have bills for an ambulance, an emergency room visit, physical therapy, and much more. Keeping track of all these bills can be difficult. That's why it's essential to keep all your records. We advise creating an excel spreadsheet that keeps track of charges, payments, adjustments, and remaining balances. If you would like an excel form, let us know. We can email you a spreadsheet to keep track of all the information. It's also a good idea to request billing statements from each provider near the end of the process to ensure you don't miss any bills that may or may not have been paid.

At the end of the settlement process, you'll be able to use whatever is left over to pay any remaining balances left with your medical providers. Without keeping a close record of your bills, it is likely that a bill won't be paid and will be sent to collections. Not paying the bills will hurt your credit rating, and don't forget that medical debt will accrue interest. Medical debt can be a heavyweight to carry. If you've followed these steps carefully, you can walk away from your auto accident debt-free with the financial future of your family safe and secure.

Document Everything

Unfortunately, in the insurance process, when you claim damages, the insurance adjuster isn't just going to take your word for it. Any claim you make must be backed up with documented evidence. Do you think the damages to your car are worth $2000? You'll need a repair quote. Did you incur $10,000 in medical bills? You'll need those bills from the medical provider to prove it. You will also need the medical records to show you got the treatment, and it was for the accident. Do you have a permanent disability? You will need a full report from the doctor and a vocational expert to prove you will have a future economic loss. Did you lose income from your injury? You'll need to document that too. For every part of your claim, you must track down the documents that prove your claim to the adjuster, or if you hire a lawyer, then he or she will track down all the material needed.

As you might imagine, this can be a time-consuming part of the process.

DIY Auto Accident Claim Liability Claims

If you can prove liability, the other driver and their insurance company must pay you for your economic losses, pain and suffering, and disability. You will also need to know what your future medical bills will be. They can be included in your claim. You need to know your physical limitations and how these limitations will hurt your ability to earn an income. To handle a case of this significance and size, you will need to know your damages and be able to track down all your medical records and bills from all of your medical providers, including their physician clinics. You will need to know the value of your case by how much juries would award for your injuries and to understand how to negotiate that value with the insurance company. If you need future medical treatment, you will need to know how much such treatment will cost, and how to document those procedures that are medically necessary. For cases such as these, call me. I can help you navigate this and even more complex cases. Call me today for your free case evaluation. 785-273-4330.

If you will handle the claim, first gather all your medical records and type up a letter explaining the legal claim that includes a medical summary with all the medical diagnostic and treatment codes. The insurance adjuster will be typing the codes into a computer program to start their evaluation. The adjuster will want you to sign forms so they can talk to your doctor and get the medical records and your wage records. They will also send you an insurance form so they can notify Medicare of your claim if you are on Medicare. Medicare often will make a claim against your case, which you must consider and pay. There ways to negotiate the amount they claim, so they get less. Check for the other liens against the recovery like the hospital lien or Medicare lien. If your treating doctor asks you to sign a lien, don't. He or she may not have a lien, and you don't want the jury to think they have an interest in your recovery.

Your claim is worth what a jury would award. No one knows for sure what a jury will award but check recent jury verdicts to come up with a range. If you go too high with your offer, the insurance company will stop negotiating, and you don't want to go too low. Remember, the insurance adjuster does not work for you, but the insurance company and his or her job is to keep the payout low.

READ ON...

YOU CAN RECOVER MONEY FOR YOUR PAIN, SUFFERING, MENTAL ANGUISH, INCONVENIENCE, AND OTHER NON-ECONOMIC LOSS IF:

- **Your medical bills are more than $2,000**
- **You have some permanent disfigurement**
- **You have a fracture to a weight-bearing bone; a compound, commutated, displaced or compressed fracture**
- **Loss of a body member**
- **Permanent injury**
- **Permanent loss of a body function**
- **Death**

Any of these criteria can legally allow you to recover non-economic damages for your claim. It's important to remember that personal injury cases are not lottery tickets. They operate under the system of laws we've created that attempts to make us whole again after an injury. They help us recover what we've lost, even if some of the pain is difficult to quantify.

Statutes of limitations

The question, "How long do I have to file a claim?" is essential. The time limitation to file a claim is called a statute of limitations, which is the final date you can sue. If you wait longer than the time limit, you are barred from filing a claim.

You might initially think this is a simple question, but it's not. How long do you have to file a claim will depend on many factors. First, a lawyer must decide which state law applies to your case. There is an entire set of rules relating to which states law applies. Each state has its own set of time limitations. The time limit for even a simple claim of negligence varies from state to state. For example, some states have a specific time limit for negligence but a shorter period if death was involved. In some states, the negligence claim is shorter if you are claiming there is professional malpractice. If the federal law applies, then the lawyer must consider particular time limits imposed by federal statutes.

The next step is to decide which type of legal theory you will use to pursue your claim. Each claim has a different time limit. In Kansas, an auto claim for negligence is two years for negligence, a claim against your own insurance company will have five years for violating a written contract.

It is even more complicated because you must know the correct date for applying the statute of limitations. In accident claims, it is often the date of injury but not always. In some negligence claims, it is the date of the wrongful act. A wide variety of exceptions might apply, such as disability, which may stop the time limit for a while. We highly encourage you to contact an attorney to discover the time limits for your case.

What about a settlement?

After your claim is ready for settlement, the liability insurance company will pay once you agree on the value of the claim. The liability insurance company is the insurance company for the driver at fault. This company must pay more than just medical bills, often a lot more, to compensate you for your injuries, pain, suffering, and future problems.

Be Careful.

An insurance claim can be complicated. Settling before giving proper notice to your insurance company, waives your under-insured motorist claim. If the driver at fault does not have insurance, you probably have an uninsured motorist claim against your own insurance company for your injury. You have to consider liens against the recovery from your insurance ,military health benefits plans, Medicare, Medicaid, Federal Government employee health benegits plans, and ERISA health plans. You also have to consider Medicare's future interest if you are on Medicare.

Auto Accident Uninsured Motorist.

You may not know what to do if you are injured in an auto accident by an individual without insurance. The law requires you to have basic liability insurance to cover claims if you are at fault. Sadly, about 13 percent of the population ignores the law and doesn't buy insurance. If you are injured, and the other person is uninsured, you must claim under your policy. The fine print of your auto insurance policy says if another hurts you without insurance, then your insurance company will pay the claim. It is called an uninsured motorist claim.

READ ON...

What if there is not enough insurance?

If the liability insurance company has low limits and not enough insurance to pay your claim, you may have additional options. You may have an under-insured motorist claim. Also, workers comp, global policies, or other types of insurance may come into play. If the other driver was on the job, his employer's policy must pay.

How to Value a Claim: Insurance Companies Don't Get the Last Word.

I represented a dear single woman with children driving on Interstate 70. She came over the ridge only to find another car at a dead stop blocking her lane. She hit the brakes hard. She swerved, but still hit the stopped vehicle. The insurance company blamed her, and even after extensive mediation offered her a big, fat, zero, nothing. I took the case to trial for her in Douglas County and got a verdict of over $80,000! The courts will get the last word in deciding how much the claim is worth. There is no formula for finding the value of a case. The value of a claim is based on what a jury would award. We look at what the average jury is awarding for this type of case and then see if any factors would increase or decrease the value of your case. This analysis takes a lot of time, but it is worth it.

Is a personal injury settlement taxed?

Will the government tax your award? In your typical personal injury case, the answer is no. Compensation includes money for physical injury, medical expenses, emotional distress, pain, property damages, economic loss, and disability. Your settlement is not income because it is compensation for a loss. The accident brings you economically into the negative numbers, and the award, in theory, brings you back to zero. If there is no income, then there is no income tax. The tax code excludes from its definition of income any amount of money you received from your case because of personal injuries. So, if there is a physical injury from the accident, then the amount may reportable, but it is not considered taxable under section 104(a)(2). However, what about other types of claims? If your claim is for punitive damages, or if the claim does not include a physical injury, then it probably will be taxable.

How can I be sure? Always consult with a professional tax expert for details as it applies to your injury case.

Our goal is to help you as we can. This includes friendly prompt service and a clear explanation of your options.

READ ON...

The Most Common Mistakes that Can Cost You Thousands

- Not handling the case yourself if the case is simple and the lawyer cannot add value.

- Signing a Release of Liability by mistake.

- Not claiming all your PIP benefits.

- Not gathering all your medical records and getting the right information to the adjuster.

- Settling your claim before you know the full extent of your injuries.

- Settling the liability claim before discovering if you have under-insured motorist coverage and giving proper notice.

- Getting treatment from a Doctor suggested by your lawyer, juries will not believe the Doctor.

- Not making a claim against your own insurance company if the at-fault driver is uninsured.

- Handling the case yourself if you do not understand the process.

READ ON...

Questions to Ask Yourself or the Lawyer Before You Sign ???

- May I have a sample fee agreement to review?
- May I have a list of testimonials from former clients?
- Will you put in writing that you have errors and omission insurance of at least one million dollars?
- Will you give me a full explanation of the fees and costs and how the fees are calculated?
- Will you give me a professional biography that shows your experience?
- What are others saying about you in google reviews?
- When does the fee percent charge change?
- Do you have a guarantee?
- Can I cancel the contract? And if so, what happens?
- When do you return calls?
- How often do I get updates?
- Is this lawyer a person I trust? I will be spending lots of time with this person, do I like him or her?

How to find a good attorney?

The Kansas Bar Association has a lawyer referral system, which is a good source for attorneys.

Interview several attorneys.

If a lawyer contacts you first, or has a person contact you, do not hire them.

Avoid lawyers that send you solicitations in the mail out of the blue, asking to represent you rather than free information to educate you.

Don't hire a lawyer that will refer you to his friendly doctor to treat you.

What others are saying about Patton and Patton

" Mr. Patton was extremely helpful, and he gave me a good deal of info at no charge, just wanting me to be as informed as possible so I could decide whether bringing a case was right for me."

Chad Billings

"very friendly and knowledgeable, they were on the case as soon as I called them. Very professional! If I had any questions, they would have answers and helped guide me through my ordeal. I recommend them to everyone that's been in a vehicle accident. They really care!"

Jeff Clark

"Joe Patton was professional, friendly, compassionate and took incredibly good care of my husband and I. He went above and beyond what he had promised us, gave us exactly the help we needed, and was very time efficient with everything that he did. If you are looking for an honest, hard working, trustworthy lawyer, go to Patton & Patton, they'll take great care of you."

Marta Mark

★ ★ ★ ★ ★

READ ON...

★ ★ ★ ★ ★

"Joe your group is Awesome."

MB

"Great track record. Keep it going!"

EE

"They are all Excellent Attorneys. They are so very compassionate and caring."

SB

"These guys will give you 1st class service!"

Bill W

"Joe is a great guy to get to know. Always positive, always professional, and has more experience and connections than practically anyone else in the area. Give Joe a shout, you won't regret it."

TL

"Call Joe. He works really hard!"

BW

"Joe and Mike and Cindy helped my wife and I, and we appreciated their thoughtful guidance on our plans for our family's future."

JS

"Congrats Joe on your law firm's 30-year anniversary! You have lived up to your motto that 'Justice is more than just a word.' My mom would have been proud. Thank you for always being there for our family."

Susan L.

READ ON...

" When I was in the early stages of recovery from a head on crash, my sons-in-law realized they were in over their heads with insurance companies, Medicare and expenses. So the law firm of Patton and Patton, recommended by a lawyer friend, came to the hospital to meet with me and family members immediately. Though I was not able to comprehend the depth of my injuries and compensation possibilities, Joe reassured us that his firm would be able to oversee and intercede for me. He and his staff have always been trustworthy and quick to help. The comment that has constantly been reassuring is 'you concentrate on getting well and we'll take care of the rest' Thanks to Joe and his firm, I am well taken care of now and for future ramifications of my injuries. The process is not quite complete but, Joe keeps updating me on getting doctors, Medicare and hospitals satisfied as well as me."

– BETH

As you could see, this entire process can be an immense amount of work and can be quite the storm to navigate. Our clients can tell you from their personal experience that their injuries were difficult to overcome alone. In the storm of an injury, we'll be your lighthouse. If you need help with your accident claim or just have questions about any of this information, **feel free to call us at 785-273-4330.**

Personal Stories from Patton

It's a Soup Day!

Let me explain how New Year's Day became soup day. Cindy and I were chatting at breakfast contemplating what we might do on our New Years' day off. "I wonder what we usually do on January 1st?" I asked because you see I don't remember what we did last year, or the year before, or any year. I, like all the Patton tribe, have a poor memory. My usual memories have a six-month residency in my brain and each one fades as it gets closer to the six-month mark until boom, the memory falls off a ledge into oblivion. It's both a blessing and a curse. It's a problem because obviously, we don't remember, and it's a blessing because we don't remember. So, you will find a Patton to be very forgiving, not because we are good, but because we really can't remember the offending event. So why hold a grudge, right? "You offended me, no problem, you are forgiven, because that's what Jesus said to do." It works great at church; I can pretend to be godly when actually I can't remember what you did wrong!

I compensate for this memory defect by taking notes, keeping records, To-do lists, but most important, when the Patton's gather, we tell stories. We remember things as a group by retelling the stories. Like the first fish I ever caught as a child, a pan fish, at a remote location deep in rural Missouri, a vacation plot my Dad bought, visited once, mowed the grass, never to return (yeah, I know, but that's another story). During the brief visit, we got to fish the nearby lake with bamboo poles. My brothers and sister lost interest and went off to play, but I was SOOOOO persistent. You see I am telling the story so I can make myself look tenacious and determined. Patience paid off with a very large, flat, very fat, pan fish. This little boy was so shocked. I just stared as the fish turned on the line over the water. The side view looked like a very fat fish; it turned and suddenly looked very skinny. Finally, it flipped off the line. Relieved I didn't have to figure out how to get it off the hook. I ran to the others to tell the story for the first time, and I have been telling it ever since. It was a large fish, very, very large.

The stories grow a bit over the years. No one remembers the actual events; we only remember the last time we told the story. Over time good acts become

READ ON...

noble, and noble acts become heroic quests. But since we are just telling stories we don't call it lying; we call it taking artistic license.

We are heroes; it's a fact. If you don't believe me, grab your drink, come over here, sit down by the fire a bit, and I will tell you a story to prove it. My Grandpa told me this one about the king snakes in rural Missouri. In those days, the people of an entire town would gather at a local barn for square dancing. After one such late-night dance my Grandfather left for home riding his horse taking a short cut through a dark forest when he approached a stream of water. The horse refused to walk across the stream. Frightened, the horse bolted. Grandpa, wondering what had gotten into that darn horse and somewhat perturbed about having to walk the rest of the way home, crossed the stream by walking on a large log that lay across the stream from bank to bank. The log moved. He looked down and it was not a log but a large king snake of the variety that grows in the depths and comes out of the earth once every 100 years! The rumors he wrestled the king snake are probably exaggerated.

My grandkids enjoy the game. Last time my grandkids were over, they all sat down at my feet in the living room and said, "Tell us a story, grandpa." And I did. I told them how my dog Mogsy saved the life of an elderly neighbor. Mogsy is my magnificent great Pyrenean mountain dog, a large breed of dog often used as a guardian for livestock. During a walk one winter twilight, Mogsy insisted I follow her into my neighbors yard where hidden behind bushes we found a dear elderly woman trapped face down in a small pond where she had fallen and was stuck. She only had enough strength left to lift her face out of the water and cry for help. A few moments more would have been fatal. I picked her up and carried her into her home.

"Again," my grandkids cried. So, I told them the story of a little boy who had reoccurring nightmares. One night on a church camp out, he was sleepwalking alone into the dark forest. The other campers woke during the night to hear the little boy's blood-curdling screams as they all ran into the forest to find the lad. The little boy was me. "Again. Grandpa tell us another story.", the kids shouted in unison. I told the story of how my family gathered in the living room of my childhood home during a storm while my Dad prayed. A tornado skipped over our house.

So, we tell stories. Did I ever tell you the stories about when Aunt Peggy cooked her first casserole, Oh! Oh!, Oh! or what about when we caught her in the back yard eating dirt? No. Wait. Peggy might read this blog, ah, so perhaps another time. Do remind me to tell you later, because you know, (wink, smile, and a nod) I will forget.

READ ON...

So today on New Year's day we will have soup day because I can't remember what I am supposed to do on New Year's. Today's story is about French Onion Soup Gratin'ee, chosen because Cindy and I have fond memories of French Onion Soup at Poor Richards while dating. Remember Poor Richards? Not counting prep this story will take you about one hour and 20 minutes. We started with a quick trip to Dillon's on 21st, to get the 6 ounces Gruyere cheese, they have a great selection of cheeses. Back at home, we pulled out the nonstick 12-inch skillet, melted four tablespoons of butter over medium-high heat and then added the onions with ¼ teaspoon of salt, cook, stirring occasionally. ("Oh no, baby doll, I'm burning it." "That's ok Joe it is supposed to turn golden brown, in about 30 minutes reduce heat to medium-low cook until the onions are very tender.") We transfered the onions to a 4-quart saucepan, taking the skillet, added 1 cup dry white wine and heated to boiling over medium-high heat until the wine was reduced to ¼ cup, 3 to 5 minutes. ("Ah, Cindy isn't that wasting the wine." "Oh goodness, no.") We added the reduced wine to the saucepan with onions, stirred in 1 can of chicken broth, 14 ounces, and one can of beef broth, two sprigs of thyme, and 2 cups of water, reduced the heat to low, simmered covered for, oh I don't know, about 15 minutes.

Meanwhile we preheated the oven to 450 degrees and cut the French bread into 12 diagonal slices about ½ inch thick, then arranged the bread in a 15 by 10-inch jelly roll pan all in a single layer. (Did I forget to tell you to get some French bread at the store? Sorry, bad memory.) We baked the bread until it was golden brown and crisp, 8 minutes or so, then transferred the bread to a plate and shredded the Gruyere.

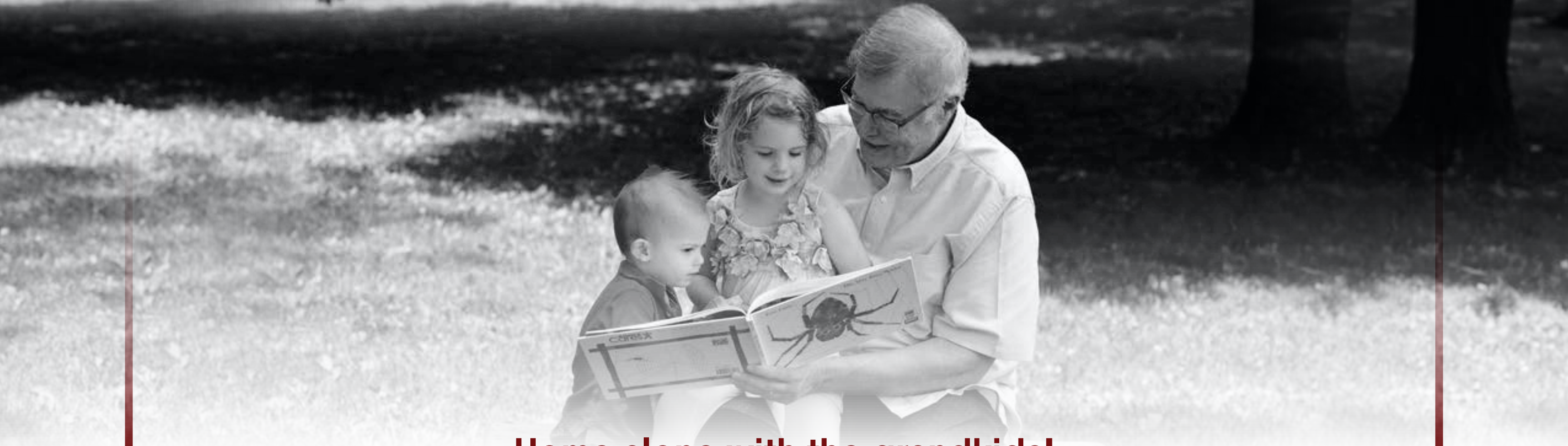
Finally, we place six 2 cup oven-safe bowls in the same jelly roll pan, discarded the thyme, spooned the soup into the bowls, and topped each with two bread slices sprinkling Gruyere evenly over the bread and baking it all until the cheese has melted and brown around 12 minutes.

I have no words to describe the taste, so finish this story by cooking up the French Onion soup for your tribe. Then you and I will have shared a little taste of heaven. There you have it, and here's the best part of the story. There are no calories, no fat, and no cholesterol! Yes, really.

Trust me. I'm a lawyer.

May the Good Lord bless you and your family throughout the year. As Andy Stanley said, "When they tell the stories of this time, let our stories be stories worth telling." So come on over, we will have some soup, sit in front of the fireplace, and I'll tell you a story you will not soon forget.

READ ON...



Home alone with the grandkids!

I felt a strange feeling rising in my chest. Cindy had just left for church. I volunteered to stay with the four grandkids since one had a cold. I was left there, home alone with four grandkids. My stomach became a knotted rope. What was that feeling? Anxiety? Nervousness? Fear? No. It was panic, full-on crazy, blind panic. I am home alone with four grandkids. Wide-eyed, my mind races. I can't do this. What was I thinking?

Experience told me I had a few moments to act before four living tornadoes would assault my living room. Frantically, I scanned the room for resources: red solo cups, paper cups, string, scotch tape, duct tape, yellow sticky notes, white plastic spoons and one small plastic ball. After I decided duct taping them all together was probably a poor choice, I pushed down the panic with a word of encouragement, "Get a grip man! You can do this. Take charge."

"Kids," I announced as the four little monsters looked up at me with suspicion, "You are about the have the best day of your life!" "How do you know?" they asked. Strange when they talked it was like a chorus of all four at once. "I know because.... because...because I AM THE GRANDPA!"

I had them set the dozen red solo cups on the floor, and we played toss ball. They stacked the cups into a tower, knocking it down with the ball over and over again. "Again!" they all shouted.

I connected two paper cups with the strings, and suddenly we had a phone. My explanation of the physics seemed to fly over their heads, but they had great fun calling each other names using their new "phone." Wow, it worked (A shout out to my high school science teacher, "See, I was paying attention.")

Finally, I set them down in separate areas, with red cups, tape, yellow sticky notes, white plastic spoons, and said, "Build me something." I've uploaded photos of their creations for your viewing pleasure.

The front door opened, and my wife, Cindy, walked in. I rushed to her. Hugs. Kisses. Tears. Relief at last! Relief at last! Thank God Almighty! Relief at last!

P.S. Just so you know these kids are not monsters, they are great kids. I was just viewing the situation with a lot of fear at the time. Liz and Mike and great parents and they are doing a super job, in spite of grandpa.

Scary Thunder.

I hear the thunder, deep, rolling, scary thunder.

I see 3:00 in red. That would be the LED alarm clock. “It’s 3 am,” I hear my inner voice say.

I hear another voice; it’s a little boys voice, my grandson’s voice. I’m a little surprised. My inner voice says, “Remember, the grandkids are spending the night here.” That’s nice.

I hear the thunder, deep, rolling, scary thunder, and the little boy’s voice again. He is trying to comfort himself. An inner voice says, “A little boy should not have to comfort himself at 3 am.” No? no. Well, then who? “You.” Me? “Yeah, you’re the grandpa.” No, I’m a lawyer. “Hey, knucklehead, you’re the grandpa.” That’s nice.

I hear the thunder, deep, rolling scary thunder. “Get up you idiot.” I’m not an idiot; I’m a lawyer. “Get up, you knucklehead!” I lumber out of bed to be met in the hall by a little boy looking up with wide eyes, “I heard the thunder; it’s scary.” Apparently a 6-feet, 2-inch giant walking grandpa-zombie is scarier because this little boy runs back to bed. I follow; I sit on the edge of his bed wondering what to say.

I hear the thunder, deep, rolling, scary thunder. I say, “It’s like a big kettle drum, boom, boom, boom,” with hand motions. He looks up with an odd expression on his face as if to say, “That’s it? You’re the grandpa and that’s the best you got?” “Well…it is 3 in the morning, kid.” I rub my face.

I hear the thunder, deep, rolling, scary thunder. The little boy says, something about Jesus. What’s that? Oh, sure, that’s more comforting. My thoughts turn to a quote I heard recently, “If anyone can predict his own death and resurrection, and actually pull it off, yeah I’m with him; I will just go with whatever he says”, and he says we should love each other.

I smile at my grandson. I rub his chest, that seems to help — “Goodnight grandpa”. “Good night, Joshie”. I stumble down the hall toward my bedroom. Comforting the afflicted. It’s what I do. “That’s a cliché, you simpleton.” I smile, yeah, yeah, it is. In bed again, next to Cindy sound asleep, she’s looking so pretty and peaceful. My last thought as I drift off is a question; is Jesus asleep at 3:00 in the morning?

It’s thundering again, deep, rolling thunder, somehow… now, it’s not so scary.

READ ON…

Curried Shrimp and Love

Earlier this week I was laying down on the living room couch with my feet propped up and in walked my wife who asked if I would help her rake the yard? In the 3.5 nano-seconds between her question and when I answered, I had the following thoughts go through my mind: I'll pass, my feet hurt, I had a long day at the office, etc. But I had second thoughts. After all, she did just cook curried shrimp with coconut ginger rice, mmmmmm. She is very kind, beautiful, and I love her with everything in me. So, I looked up, smiled real big and said, "Of course, dear." It may have taken 39 years, but I think I'm finally getting the hang of this marriage thing.

p.s. Coconut Ginger Rice:

3 cups of water, 2 cups of long grain white rice, 1 cup unsweetened coconut milk, 2 tablespoons sugar, 2 teaspoons grated fresh ginger, bring water rights coconut milk sugar and ginger to the boil in medium saucepan over high heat and reduce the heat to low, cover and simmer 25 minutes or until the liquid is absorbed. Delicious.

READ ON...

PATTON & PATTON

534 S. Kansas Ave. #1120
Topeka, KS 66603
(785) 273-4330

12345 W. 95th St. #200
Lenexa, KS 66215
(913) 228-3882

JOE PATTON

MIKE PATTON

Joe@joepatton.com | www.**JoePatton**.com