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Car Crash Recovery Scholarship

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20 Questions about Kentucky No-Fault

The key to understanding how the legal and medical system works in personal injury cases resulting from motor vehicle accidents in Kentucky.

Current Trends in Personal Injury Law

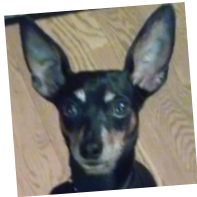
This past summer, my family and I, along with another couple from our Sunday School class, visited St. Stephen church in West Louisville. I came away with tremendous respect for its pastor, Rev. Kevin Cosby, and his work in trying to improve the lives of those living in that community. So I am disheartened by the recent controversy after he and his wife were pulled over by a Louisville police officer, when he appeared to have done nothing wrong.

The United States Supreme Court has held that a police officer must have a "reasonable suspicion" that some wrongdoing is taking place

before pulling someone over. This is a very low standard. The likelihood of criminal activity does not have to rise to the level required for probable cause, and it falls far short of satisfying a preponderance of the evidence standard (i.e. more likely than not). Still, to justify the intrusion of pulling someone over, a police officer must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion. Reasonable suspicion requires at least a minimal level of objective justification for making the stop.

I've watched the videotape, and the reasons the officer gave were that Rev. Cosby made an improper turn from a street that the officer couldn't name, and that Rev. Cosby had an illegal plastic rim around his license plate. The first reason might be enough to satisfy the "reasonable suspicion" standard the way courts have interpreted it, but the second reason is ridiculous because dealer frames on license plates are not illegal. I'm not a criminal lawyer, but the question of whether the officer had legal justification for pulling over Rev. Cosby seems borderline to me.

Advice Column - Leaf Raking



Casey's Kentucky Trivia Question:
Which state does NOT border Kentucky?

- A. Illinois
- B. Virginia
- C. Missouri
- D. Arkansas

Be the first person to answer correctly by sending an e-mail to bdh@harvillelaw.com and we'll mail you a \$5 Starbucks gift card!

From popularmechanics.com, here is some leaf raking advice:

Work With or Avoid the Wind

Try to pick a calm day so there's no wind to interfere with your work. If it happens to be windy, rake your leaves in the direction that the wind is blowing.

Patience

Don't bother raking your whole yard until all the leaves are down. Waiting until the branches are bare will save you hours of work.

Use the Right Tools

There are some great new raking tools out there, such as the Lee

Valley Power Rake, and can save you lots of time on yard work.

There are also rake alternatives, including push-power leaf collectors that help take some of the backache out of raking.

Take Care of Your Body

Speaking of backache, be sure to practice proper raking technique. Warm up your body by stretching before you start. Keep a good posture and stand upright. Switch your main (bottom) hand on a regular basis, and always bend at the knees (not the back) when you stoop to pick up a pile.

Work Smart

Rake your leaves into small piles on top of a tarp or a piece of plastic, then drag that pile to your main pile or compost.

Rake When It's Dry

Wet leaves are heavier than dry ones, so try to do your raking during a dry stretch of weather.

Use a Mulching Mower

This may seem like cheating but is ultimately an effective way to clean up your leaves by turning them into mulch that's bagged by the mower.

Favorite Pet of the Month



Ruger

Ruger is a 2 year old house trained German shorthaired Pointer mix. He is an affectionate dog who needs a forever family. Scared to death when he arrived at the rescue, he has really turned around! He is an alpha dog and would probably do best as an only dog or with a submissive co-pet. This fella loves walks and playing outside.

If you want to add a pet to your family, may we suggest [Barktown Rescue](http://BarktownRescue.org)?

Dana Skaggs serves on the Board of Directors.

Brad and his family love pets, too!

If you want to tell us about your pet(s), send an e-mail to bdh@harvillelaw.com with a photo and we'll try to put this in a future issue!

Hit-and-Run Crashes

In recent years it seems like we have represented several folks involved in hit-and-run crashes.

Injuries from a hit-and-run are covered primarily under the policy covering the vehicle occupied by the injured person, and secondarily under any other policy under which the injured person is an insured. Uninsured coverage is required in all Kentucky auto policies unless it is specifically rejected in writing.

The reason hit-and-run crashes fall within this coverage lies in the definition of “uninsured vehicle” in the policy. “Uninsured vehicle” can mean several things, but the part about hit-and-run crashes reads something like this:



“Uninsured motor vehicle means ... a hit-and-run vehicle whose operator or owner cannot be identified and which hits:

- a. You or any family member;
- b. A vehicle which you or any family member are occupying;
- c. Your covered auto; or
- d. Another vehicle which, in turn, hits:
 - (1) You or any family member;
 - (2) A vehicle which you or any family member are occupying; or
 - (3) Your covered auto.

The key thing to note in this definition is that the hit-and-run driver *must make contact* with the injured person (e.g. a pedestrian) or the occupied vehicle, or cause another vehicle to hit the person or the occupied vehicle. This is known as the “impact” re-

quirement, and the coverage will not apply unless there is some proof that the impact occurred. Thus, if an unidentified vehicle causes you to swerve off the road and hit a tree, but does not make contact with your vehicle, there is no coverage.

It should not surprise you to learn that hit-and-run drivers are almost never caught. Usually the injured person is too startled or shocked to anticipate that the hit-and-run driver will flee the scene. You need a witness alert enough to get a complete plate number, or surveillance that captures footage sufficient to identify the car or driver. Those things almost never happen, which is why these hit-and-run drivers always seem to get away.

Stupid-Easy Recipe of the Month

Spooky Fingers

From delish.com, this recipe is a hoot!

Ingredients:

- 8 oz. white chocolate
- 20 pretzel rods
- 20 pumpkin seeds

Instructions:

- Line cookie sheet with waxed paper. Place chocolate in large microwave-safe bowl. Microwave on high in 30-second increments until almost melted, stirring occasionally until

smooth.

- Holding 1 pretzel rod at a time over melted chocolate, spoon some chocolate over pretzel to coat, leaving about 3 inches uncoated at one end. Carefully place on prepared cookie sheet. Immediately press 1 pumpkin seed onto coated tip to resemble fingernail. Repeat with remaining ingredients. Refrigerate 15 minutes to set chocolate. Fingers can be kept at room temperature in airtight container up to 2 weeks..

Enjoy!



*Don't keep
these fingers
out of your
mouth!*

Bobby Mackey's - “Portal to Hell”

My son, Clay, loves the show “Ghost Adventures.” Thanks to his interest in the show, we've learned some really interesting history about some places around Kentucky that are supposed to be haunted. They've done shows about the Waverly Hills Sanitarium, the Slave House in Maysville, and Perryville Battlefield.

The most notorious of all is Bobby Mackey's nightclub in Wilder, Kentucky,



a.k.a. the “Portal to Hell.” Some time ago, I had a couple of cases in that part of the state, and stopped by to check it out. It's right by the road, you can't miss it. It was closed when I stopped by, but there are signs everywhere that the place is haunted. As the legend goes, it was built on the site of a slaughterhouse where a gruesome murder took place along with demonic worship. To read more, check out the [Ghost Adventures website!](http://ghostadventures.com)



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We want to help you secure the best possible outcome out of a difficult situation that you wish had never happened. If you have been injured, our goal is to obtain maximum recovery in the shortest amount of time it takes to get your case resolved.



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Harville Law Offices Announces Scholarship Program

Harville Law Offices announces its scholarship program! Kentucky sees too many lives lost or impaired due to drinking and driving, lack of seat belt use, or distracted driving. Too many people are killed or injured each year from preventable accidents. Car or truck accidents can result in brain injuries, paralysis, and other life-changing injuries.

Young people should not have to suffer these injuries at all, let alone have their life dramatically altered by these tragedies.

The Car Crash Recovery Scholarship

In an effort to aid the devastating consequences a car or truck crash can inflict on a young person's life, Harville Law is offering a \$1,500 scholarship to students who have been affected by the traumatic experience of being injured or having loved ones injured or killed in a car or truck crash.

Overview

We are asking students to write an essay of at least 500 words detailing the story of a car or

truck crash that dramatically affected their lives. The crash could have occurred from



reckless driving, drunk driving, or distracted driving, but the crash must have caused some level of injury to the student or a loved one.

In the essay, students must explain how the crash changed their lives, how they have managed to recover personally, physically and emotionally, and how they plan on bettering themselves through education.

Eligibility Rules

Applicant must be a full-time undergraduate

student enrolled in a college, trade school, or university during the fall 2018 semester and registered to continue as a full-time undergraduate student for the spring 2019 semester.

Scholarship FAQ

What is the deadline for submission?

Applications must be received by no later than December 1, 2018.

How do I apply?

To apply, email your essay, a copy of your ID (driver's license or other government-issued identification), and proof of enrollment or registration to bdh@harvillelaw.com.

When will the winner be selected and notified?

A winner will be selected by no later than January 1, 2019. The scholarship will be paid directly to the financial aid office at winning student's school for the Spring 2019 semester. For more details, check out:

<https://www.harvillelaw.com/scholarship/>