

FOR THE RECORD

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“The thing I liked most about working with Bailey & Greer is that the attorneys and staff communicated with me about my case. They were always informative, knowledgeable, and sincere and the staff was always friendly and accommodating. I very much appreciated the teamwork approach taken by the firm. I am completely satisfied with the work they did, and I would recommend this law firm to friends and family members. They are professional in every aspect.”

Client—B.G.

IT'S NOT ABOUT US, IT'S ABOUT YOU

Welcome to the first issue of the Bailey & Greer newsletter. Like the headline says, it's not about us, it's about you.

In each issue, we hope to provide useful and interesting information. We will include safety tips, consumer alerts, answers to frequently asked legal questions, and articles just for fun.

Our goal is to design each newsletter with one question in mind—will this information help our friends, family, and clients?

So, if you have a recommendation for an article or you have an idea on how we can make our newsletter better, please let us know. We really want to hear from you!

And if you know anyone who would enjoy receiving *For The Record*, please let us know

and we will gladly add them to our mailing list.

Our mission has always been to place our clients first and to provide them with knowl-

edgeable, professional, and compassionate representation. We hope launching this newsletter will be an extension of that mission to the broader community.



HELPFUL TIPS FOR CRIB SAFETY

A recent study in the journal of Pediatrics discovered that about 26 children every day suffer crib-related injuries. Following these guidelines will help you sleep like a baby knowing that your little one is safe:

- Do not use an antique or used crib
- The spaces between slats should be no more than 2 3/8 inches apart
- Check the crib hardware. It may become loose, damaged or missing overtime
- Make sure the mattress fits. There should be no cracks or openings
- Adjust the height of the mattress as the child grows so that the child cannot pull himself out of the crib
- Do not use bumper pads. They increase the risk of strangulation and suffocation
- Use only a bottom fitted sheet on a firm, tight-fitting mattress
- Do not let a baby sleep with pillows, stuffed animals, or blankets
- Always place the baby on her back for sleeping



“All Tennessee nursing homes are required to keep a single file with important information about the quality of the facility.”

For answers to more frequently asked questions visit our [new website](http://www.baileygreer.com)
www.baileygreer.com

Q: “HOW DO I CHOOSE THE BEST NURSING HOME FOR MY LOVED ONE?”

As our loved ones age and need more care than we can provide for them, we sometimes must make the decision to let a professional facility take over their primary care. This decision is not easy. When the nursing home is a great one, the residents benefit from kindness, safety, and security. But picking the wrong one can lead to horrific abuses of those we were trying to protect. When choosing a nursing home there are several considerations to make:

- Visits to the facility: When you have located a nursing home that seems to meet your needs, it is important to pay a visit. Be sure you take into consideration the entire facility, the appearance of the residents and their rooms, the activity schedule, the meal quality, and the attitudes of the administrators and staff
- Financial decisions: Because nursing home care is expensive, averaging \$6,000 a month, a facility that participates in Medicare and associated state programs can help defray the costs
- The location of the home: Finding a facility near the people who will visit is important. It has been proven that residents who receive frequent visits are happier and receive better care
- The quality of the home: All Tennessee nursing homes are required to keep a single file with important information about the quality of the facility, including fire and building code inspections, licensure surveys, and

maintenance records for safety equipment. Ask to review this file during your visit and it will give you a good idea about the quality of the nursing home

- Specialized care: Be sure to find out if the nursing home can help with the special needs of your loved one. A good facility should be able to handle issues like dementia and complicated medical equipment
- References: Any facility worth its salt should provide references. In addition, the people you know and your loved one's doctors should be able to provide accurate information about possible homes

You should never settle for a nursing home that you are not completely comfortable with. If you are lucky and do proper research, you will quickly discover a home that provides safety, comfort, plentiful activities, group interactions, and even amenities like a barbershop and beauty salon. At this point, you can rest assured you have chosen the right place for your loved one.

The website [California Advocates for Nursing Home Reform](http://CaliforniaAdvocatesforNursingHomeReform.org) www.canhr.org provides an excellent "Nursing Home Evaluation Checklist."

Q: “HOW MUCH AUTO INSURANCE DO I NEED?”

We see people every day who are injured first by a careless driver, and injured again by their own auto insurance policy. Tennessee only requires \$25,000 in liability coverage but it's very risky to only have the minimum coverage.

Often times raising your insurance limits a substantial amount (several hundred thousand dollars) will only cost a couple of dollars per month.

As a starting point, we recommend that everyone have a

minimum of \$100,000 in liability coverage and uninsured motorist (UM) coverage.

Liability coverage applies when you accidentally cause a wreck. You may think you are a safe driver and only need the minimum coverage, but what happens when you are seriously injured by someone without insurance? That's when UM coverage comes into play.

UM coverage provides money when you are injured by a person without insurance or not enough insurance. Not

having enough UM coverage can be costly.

For example, we represented a young man who sustained serious injuries in a car crash. His medical bills alone totaled \$100,000, but the driver of the other vehicle had no insurance. Unfortunately our client only had \$25,000 in UM coverage. Needless to say, our client was left holding the bag.

Here are some additional factors to consider:

- Have at least enough liabil-

ity coverage to cover your net worth

- Never waive uninsured motorist coverage, which protects you from an uninsured driver or underinsured driver
- The more drivers covered on the policy the greater the risk, so more coverage may be required
- Consider an umbrella policy to protect from catastrophic injuries
- If you don't understand your policy, call an experienced attorney

TENNESSEE CHANGES CONSUMER PROTECTION LAWS

“There is no doubt that the most seriously wronged and injured citizens will be harmed the most by the new law.”

This year’s state legislative session saw dramatic changes to Tennessee law. Most notably, consumer protection laws were weakened and arbitrary limits were placed on the amount of money a jury may allow for in a personal injury or wrongful death case. Proponents of the bill argued that it was good for business and job creation. Without getting into the merits of whether similar bills have ever actually promoted job

creation, there is no doubt that the most seriously wronged and injured citizens will be harmed the most by the new law. Here are a few of the most important changes:

- Changes venue rules to limit the places where corporations can be sued. This change will often make it more difficult and more expensive for an injured citizen to bring a claim
- Makes all cases against nursing homes fall under the medical malpractice act. Medical malpractice cases are more expensive and more difficult for an injured patient to prove than an ordinary negligence claim
- Places an arbitrary cap

on non-economic damages at \$750,000 for most cases and \$1,000,000 in rare exceptions

- Places a cap on punitive damages at \$500,000 or twice the compensatory damages. This change would protect individuals and companies who act recklessly, fraudulently, and intentionally, such as drunk drivers and trucking companies who knowingly hire drug addicts
- Takes away the rights of Tennessee citizens to bring a consumer protection claim for unfair and deceptive acts of insurance companies
- Increases protections to manufacturers of unsafe products



Giving Back

We were pleased last year to be able to sponsor two great community service programs. Camp LiveItUp focuses on children and young adults with disabilities like cerebral palsy, autism and Down syndrome. We were able to make a donation which allowed 10 kids to attend camp free for two weeks. We were also the title sponsor for Camp Adventure, a two week summer camp program for special needs individuals. It’s free for participants and places no restrictions on age or abilities.

MOVIE REVIEW: HOT COFFEE

We all heard the story of the lady who spilled hot coffee on herself and then successfully sued McDonald’s . . . at least we thought we knew the story.

This HBO Documentary provides little known insight into the actual facts of the McDonald’s hot coffee case and the media frenzy that followed. It turns out that most people’s understanding of this case is wrong.

The film shows pictures of the victim’s third degree burns that are shocking and grotesque. By interviewing actual jurors from the case, the film reveals that the decision to award punitive damages was based on the fact that McDonald’s had faced 700 similar complaints and that it kept coffee at a higher temperature than industry stand-

ards required. The lawsuit caused McDonald’s to lower the temperature of its coffee and to provide safer cups and lids.

The movie also follows the heartbreaking case of a 16-year-old boy who has serious and permanent brain damage because his mother’s doctor missed the fact his brain was deprived of oxygen at the end of her pregnancy. His parents were awarded \$5.65 million, the estimated cost of his lifelong care. But Nebraska, where they live, has capped both actual and punitive damages so they can collect only \$1.25 million.



The movie also covers the increasing amount of corporate influence in judicial appellate elections and the efforts of major corporations to bind employees and customers to unfair arbitration agreements.

For hundreds of years the American judicial system has been the only realistic avenue of restitution for an average citizen to confront professional and corporate wrongdoing. This documentary makes a strong case that corporate America—through sympathetic politicians to whom it gives wads of cash—has successfully diminished the rights of ordinary citizens and continues to do so.

The movie can be purchased at <http://www.newvideo.com/docurama/hot-coffee/>.



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*The greatest compliment we
 can receive is the referral of
 a friend or family member*

FIRM INFORMATION

At Bailey & Greer, we take only a limited number of serious injury, wrongful death, and professional malpractice cases. While some law firms work to settle, we work to get the best possible result for you. We have the experience, expertise and financial resources to carry each and every case to court, and our track record speaks for itself.

When you choose us to represent you, you will always be able to speak to a lawyer and you will always be treated as a person, not just a case. In addition to our attorneys, we are also proud of our courteous, knowledgeable office team, which includes a full-time nurse.

Practice Areas:

- ◇ Medical Malpractice
- ◇ Birth Injuries
- ◇ Legal Malpractice
- ◇ Auto Accidents
- ◇ Trucking Accidents
- ◇ Nursing Home Abuse
- ◇ Wrongful Death
- ◇ Premises Liability
- ◇ Workers' Compensation

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