



A New Year – *The Same Old Insurance!*



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In the Spring I clean out the closets. As a mom of three boys, at the end of summer I begin shopping for school clothes. As the New Year is upon us we may be reminded to check our smoke and carbon monoxide detectors. What time of year do you check your insurance

policies?! I bet that's NOT on the "To Do" list.

Can I be sued personally if I have insurance?

If you have a job and are not drowning in debt, talk to your insurance agent about having the most insurance you can possibly afford. There is no protection in the law that prevents an insurance company from suing you personally for being underinsured. God forbid you are involved in a crash where someone else is severely injured; if they have more insurance than you, their insurance company can sue you for the difference they had to pay to their insured. So if you have \$100,000 in auto insurance coverage, but the person that was hurt gets \$200,000 from their insurance company, that company can sue you personally for \$100,000. The assets my husband and I actually own are Legos, televisions, a dog and 2 cats, yet we both work so an insurance company would look at our income and be more than happy to wait the 50 years it would take us to pay off \$100,000 in monthly installments. If you have a job and are not drowning in debt, you should have auto insurance plus an umbrella on your home owner's policy.

Don't just protect your assets – protect yourself!

God forbid you were severely injured in a crash and unable to work. Do you have a Disability Insurance policy? It can take years to get on Social Security Disability and even then the most you are reimbursed is usually only a fraction of the income you enjoyed when you were employed. Furthermore, if you have an insurance policy on your auto and home, plus an umbrella, which is large enough to protect yourself from suit, you should have the same coverage if you get hurt. If your auto liability insurance is maxed out at \$100,000/\$300,000 and you have an umbrella policy on your home owners that covers you up to \$1 million, you should have the same amount of underinsured motorist and umbrella coverage. No one wants to think about being catastrophically injured, but unfortunately I represent many people who have been. I guarantee they would all tell you that they wish they had enough insurance to cover their wage loss.

Are You Limiting Your Right to Sue?

It has been reported that over 90% of drivers in New Jersey elect the Limitation on Lawsuit or Limited Right to Sue for their auto insurance coverage. If you aren't sure whether or not you elected the Limited Right to Sue then you probably have. When a collision occurs and you have selected

the Limited Right to Sue, you can only recover money for your injuries if you:

- **Die;**
- **Lose a body part;**
- **Have significant disfigurement or scarring;**
- **Suffer a displaced fracture (the bones have completely separated);**
- **Sustain a permanent injury; or**
- **Your unborn child (fetus) dies.**

WOW! Did you realize that you were limiting your rights in such a way?! If you have selected the Limited Right to Sue, call your auto insurance company immediately and ask them to change your policy to the NO Limitation. Auto insurance policies can be confusing so if you're not sure what coverage you have and want to talk about it, please schedule an office visit and I will review your policy with you at no charge.

Just so we are on the same page, I do not sell insurance. I represent people that have sustained horrible, life altering injuries by no fault of their own, whether it is from a car wreck, a construction accident, a faulty product or a terrible fall, just to name

a few. I am examining insurance policies every time. For your family, take the time this New Year to make sure you are all protected, not just with new batteries in your detectors, but with the insurance in the proper amount.

God bless us every one!



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The D'Amato Law Firm focuses their practice in representing those who have been seriously injured in construction, products liability and motor vehicle collisions. The firm handles cases throughout the country with a primary focus on representing victims injured in Southern New Jersey. The D'Amato Law Firm has a national reputation for excellence.

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