

From Prosecution To Personal Injury



WRITTEN BY
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After nearly two decades in the District Attorney's office, I am now a personal injury attorney at the D'Amato Law Firm. As the Chief of Prosecutions and Head of the Violent Crimes Unit, I handled everything from robbery to sexual assaults to capital murder cases. Working with police and county detectives to investigate crimes, I worked hard to see justice done for those injured by criminals.

I've gone from criminal law to civil law, public sector to private sector, and intentional crimes to negligent acts. You might think that the world of prosecuting individuals for committing criminal acts could not be more different than representing people who have been injured because of someone else's negligence. You might be surprised to learn that it really is not that different. Sure, the "bad guy" who commits an armed robbery is completely different from the person who does not intend to harm anyone but does so negligently. But are the consequences any different for the victim? When you walk out of your house, you are just as susceptible to being hurt or injured by someone not paying attention to what they are doing or having let their property fall into some disrepair that puts you at risk as you are to becoming the victim of a crime. In fact, you are probably more at risk to become a victim and suffer injury because of someone's negligence rather than from someone's intentional act to cause you harm.

So why does that matter? If a bad guy intentionally assaults you, damages your property, or injures you some other way, your natural reaction is to say, "They should pay for it," both with punishment and to make you whole financially. But what if you are doing everything you're supposed to be doing as you go about your day in the community, and because someone else is not paying attention to their driving or they have not made sure that their store or business is safe for you to enter, you are hurt?

Now you're suffering, you have to get medical treatment, you're in pain and the doctors tell you that you will have pain, limitations, a need for future medical attention and not be able to do all the things you used to do and enjoy. Don't you deserve to be made whole? Sure, the guy (or his insurance

company) who should have been watching the road who crashed into you should have to pay for the damage to your car, but what about the pain you have every day for the rest of your life? Would you be willing to accept that you will be limited in some way for the REST OF YOUR LIFE and not be compensated for it? Is that fair, that you now have to deal with that for the rest of your life? Would you be willing to accept that you now cannot enjoy your life as completely as you should when all the other person had to do was pay attention while driving, to make a reasonable inspection of their property or follow the safety rules set up for doing a certain job? Of course not.

Unfortunately, as a personal injury attorney, I cannot turn back the clock to help you avoid being injured at the hands of someone else's carelessness, but I can try to help you recover fair compensation for what you now have to deal with today and for the rest of your life. And finally, shouldn't jurors, as our representatives from the community hearing the case, see that justice is done just as much as they do in criminal cases? In the end, what is right is that if someone is negligent and you are injured, you should be made whole, just like the person whose credit card was stolen or who was assaulted by the criminal.

So you see, the consequences to the victim really are no different regardless of who caused them. I spent many years helping victims of crimes seek justice, and now I continue to help people seek justice for their injuries. I just do it one person at a time now.

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