

Ches Crosbie Answers Questions on Injury Claims in CBC Interview

I get a lot of questions as to why I wrote my book aimed at accident and injury victims. Many of these questions are answered in my interview with Dorothy King, host of the West Coast Morning Show on CBC Radio.

Ms. King: Well, even the most minor traffic accident can be a big, big hassle. If you're injured, it's worse still. Besides the medical appointments and just trying to get yourself mended, there is the effort to get compensation for your injury. An injury lawyer in St. John's does have some advice on what not to do after an accident. Ches Crosbie has written a book called *7 Deadly Sins That Can Wreck Your Injury Claim*. Good morning Mr. Crosbie.

Mr. Crosbie: Good morning.

Ms. King: Well what are some of the deadly sins that people commit after they've been in an accident?

Mr. Crosbie: Well I guess you've got to remember that the average consumer is not a pro at this game, and you're going to be dealing with somebody on the other side, in other words, the representative for the other party's insurance company who is a professional person. So this is why you need to be on guard before you start giving information out to them. So giving a statement without talking to somebody, an injury lawyer, who can advise you on your rights, that would probably be an unwise move.

Ms. King: How come, I think a lot of people would say, yeah but I'm just telling the truth about what happened to me, why does that matter?

Mr. Crosbie: Well you're right, and in most cases there's no damage that you're going to do to yourself. But there are all kinds of wrinkles in these situations that the ordinary person can't anticipate, and so talking to a lawyer just to get an idea of what your rights may be is not to, you know, not to bend the truth or not tell the truth or anything like that, but just to get an idea of the ways in which information might be used against you. That's probably a good idea.

Ms. King: How common is it for people to actually say something immediately after an accident?

Mr. Crosbie: Well quite properly most people aren't thinking in terms of legal claims later. Initially they're concerned about the property damage or they're concerned about the damage to themselves, their own personal injury. Very often when injuries are soft tissue in nature, and that's not to diminish them, they can be very serious, very often you don't know that until another 24 hours or 48 hours go by or even a couple of hours. So if you say something at the scene to the other party like no I'm fine, you know, somebody asks you how you're doing or if you're okay or do you need an ambulance or whatever, that you

feel fine at the scene, that can be noted and it'll be used against you down the line and you're not thinking about that.

Ms. King: How much of your personal experience went into putting this all in a book? I would imagine you've seen a lot over the years.

Mr. Crosbie: Well I'm more than 25 years in practice and I've been doing personal injury law for most of that time period, and I have some very good lawyers who work with me, who've worked with me for a long time, so I guess in a way it's a collective, a pooling of collective experience in these kinds of cases. I started doing accident and injury cases pretty much exclusively back in 1991 when I set up my own firm.

Ms. King: And there must have been some stories over those 25 years that really broke your heart?

Mr. Crosbie: Oh yeah, I mean you see a lot of people who are devastated by, you know, what befalls people is mind boggling. There is satisfaction though when you're able to help people to obtain a monetary remedy for something dreadful that's happened to them which may affect them for the rest of their lives, and this would include children even who are, you know, it helps them to cope and to have a quality of life and meaningful life and really serious or devastating cases, that they wouldn't have had before and by applying good lawyering skills and good experience to the situation, you can come out with a satisfactory outcome for somebody. That's where you get some real pleasure.

Ms. King: Now you're offering this book free of charge, why is that?

Mr. Crosbie: Well, it's information that I perceive the broad public needs and they don't have access to easily, so I'm happy to make that available to them.

Ms. King: To anyone?

Mr. Crosbie: To anyone in Newfoundland, who's a resident of Newfoundland, it's available for free. We say, you know, not to insurance company employees, but I'm sure they'll get their hands on it anyway. And, you know, in part it's, I'm giving people in part of the book a short checklist of criteria they might want to use when they're evaluating how to find a lawyer who's right for their case because not every lawyer is perfect for every case of course. We all know in this day and age that everybody specializes to one degree or another, so I'm giving them a checklist of things that somebody might want to go over when they're turning over in their mind how do I find a lawyer, I've got a problem here and I need a lawyer, how do I find the one that's right for me.

Ms. King: Now just to play devil's advocate, people, some people out there are saying that our society is simply becoming too litigious, we go to a lawyer, we go to court over very minor things. What do you think?

Mr. Crosbie: Well if someone comes to me and asks me to represent them over something minor, I probably won't do it. I mean for one thing, one category of cases where you don't need a lawyer or probably shouldn't have a lawyer is if you're just worried about property damage in a car case, then you know you can handle that yourself. There may be lawyers who will help you with that, but I won't. And there's a variety of other more minor injuries that I won't involve myself with. So, you know, it's a matter of some lawyers I suppose might do some, what look to be, stranger cases, and on the other hand, you know, that's how the law develops as well. It may not look obvious in the beginning to people generally or lay people or even other lawyers that you have a right in a particular situation, but it may turn out that you do.

Ms. King: I have to ask, to what extent is this an effort to drum up business?

Mr. Crosbie: It's an effort to increase client satisfaction and frankly my satisfaction too. In *7 Deadly Sins* I set out factors people can use to select the lawyer that's right for them. Often this may lead people to a different lawyer, or to no lawyer at all, which works well for me, because the client has decided we are not a good fit. Likewise, if a client has thought through their choice and decides I am the right lawyer for them, the odds are good that they will be the right client for me. For both me and the client, it saves time and frustration and increases the likelihood of a satisfying relationship. For example, you know, people often times will think about going to print media like the Yellow Pages. The Yellow Pages however is not a great source of information, but that's only the beginning. I've suggested that people should go on the internet and research the lawyer they might have in mind. You can use criteria such as how is that lawyer esteemed by other lawyers, so for example there are lists of lawyers who are recommended by their peers, people who practice in the same practice area, and you can find those on the internet under organizations like Best Lawyers or Lexpert. That's just an example of how you could do your research to see if the lawyer you have in mind is somebody that you want to go with. Is the lawyer published, might be another factor. What kind of cases has the lawyer actually taken to court. That research might take you a few minutes or half an hour or so. Often times people when they choose a lawyer for a serious injury matter, this is something that can affect the rest of their life, and it may even be the most important financial decision you make aside from buying a house, or it might even be more important than buying house, so at least put a little bit of research into it. If a person has a serious injury, my hope is that they find not just an adequate lawyer, but that they find a great lawyer for their case. And that's why I wrote the book.

Ms. King: Mr. Crosbie, thanks for taking our call.

Crosbie, Q.C: You're very welcome.

Ms. King: That's Ches Crosbie. He is a lawyer in St. John's and the author of the book *7 Deadly Sins That Can Wreck Your Injury Claim*. To find out more about it go to www.NewfoundlandInjuryBook.com.

Labels: accident and injury claim St. John's Newfoundland lawyer