

# The Iowa Legal Insider™

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## Inside this Issue

### Page 1

Tough Winter and Even Tougher  
Driving Conditions  
Valentines Gift Article

### Page 2

Kids Corner: Trip to Disneyworld  
Meet our Team/Employee  
Spotlight: Amy Lehrman

### Page 3

Slip and Falls: Q & A

### Page 4

Explore Iowa: Bald Eagles in  
Pella, Iowa

## Tough Winter and Even Tougher Driving Conditions

We are all used to winter in Iowa, but this year has been worse than most. We have already received our normal amount of snowfall and more than our fair share of ice storms. When the roads get slick, the number of car accidents increase. While spring is on the way, we still have another month or so of winter. Iowans are beginning to realize that if they or a loved one have been involved in a car accident that the insurance company for the other driver is not there to help them and that they should learn about Iowa's car accident laws in order to avoid a costly mistake.

Our Attorneys Corey J. L. Walker and Erik D. Bair practice primarily in personal injury law, including car accidents, and offer a book about Iowa car accidents at no cost, risk or obligation. They offer the Iowa car accident book at no cost

because they have seen too many hard working Iowans hurt in car accidents which cost them



thousand of dollars. The book is called "The Legal Insider's Guide to Iowa Car Accidents – 7 Secrets to Not Wreck Your Case." To order your copy go to [www.IowaCarAccidentBook.com](http://www.IowaCarAccidentBook.com) or **Call Now** 1-800-850-6617 (ext. 510) (24 Hour Recorded Message). **Finally**, there is a book about car accidents that you can review in the comfort of your own home with no pressure. We have offices in Des Moines and Newton, but represent Iowans injured in car accidents from throughout the state of Iowa.

Would you like to  
know more about  
Iowa's laws and  
**YOUR RIGHTS?**

**Free Books and  
Special Reports  
available at**

[www.IowaLegalInsider.com](http://www.IowaLegalInsider.com)

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If you have been injured go  
to [www.IowaInjured.com](http://www.IowaInjured.com)



## Valentine's Contest

We received more than 50 suggestions at [www.WhatShouldCoreyBuyBeth.com](http://www.WhatShouldCoreyBuyBeth.com) and it was very difficult to decide. The winners are Jennifer of Des Moines with a suggestion of the Romance Package at the Hotel Vitro in Iowa City which includes champagne, chocolate covered strawberries, a Jacuzzi tub decorated with rose petals and candles, and breakfast in bed the next morning; and Kameron of Colfax with a suggestion of a \$200 gift to the Red Cross for the Haiti Relief Fund in Beth's name. Both Jennifer and Kameron will receive the gifts they suggested along with Beth. Thanks for helping Corey and participating. Look for more contests in the future.

Effective, Efficient Results.



## Meet our Team/Employees

Amy Lehrman has been a dedicated team member since she started working for us in high school back in December of 2001. She started part-time and worked full-time while attending DMACC and obtaining her Associate of Arts Degree in Business Administration and Paralegal Certification. Since then she has worked as Beth's paralegal, but is also a jack of all trades. She is a dedicated employee and always willing to help others at the office. We are very proud and blessed to have Amy as a member of the Walker, Billingsley & Bair team.

## Kid's Corner

by Sophia and Corbin Walker

Over winter break we were lucky and mom and dad took us to Florida and Disneyworld. While it was -20 below at home it was only in the 40's in Orlando. We had to wear winter coats, but we still had a great time and hope to go back again someday. It was so cold that we did not even swim in the pool until the last 2 days of our trip. It was nice to take a trip, but we also liked

coming home to see our friends and family.



## Solve the Sudoku

8	3			2	9			
	9		7				6	
4				1		2		
	4	8			2		1	9
		9				4		
1	2		9			3	5	
		4		6				7
	5				1		2	
			3	5			4	1

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<http://www.SudokuEssentials.com>

(answers on back page)

## Preview of Next Month MARCH EDITION

Is now the time to buy or  
upgrade to a bigger house?

Next month we will explore the available tax credits and expose 5 myths of home ownership.

# Slip and Falls – Questions and Answers

Almost every week we receive a call from someone who has been injured when they fell. Many of these involve falls on snow and ice so we will answer some of the common questions here:

## **Q. If you fall on someone's property are they liable for your injuries?**

A. Not necessarily. A claim against a property owner for a fall is known as a premises liability claim. In order to recover damages against a property owner you have to prove that the property owner was negligent also known as fault. The fact finder, usually a jury, will consider many factors to consider which include: (1) the foreseeability or possibility of harm; (2) the purpose for which the entrant entered the premises; (3) the time, manner, and circumstances under which the entrant entered the premises; (4) the use to which the premises are put or are expected to be put; (5) the reasonableness of the inspection, repair, or warning; (6) the opportunity and ease of repair or correction or giving of the warning; and (7) the burden on the land occupier and/or community in terms of inconvenience or cost in providing adequate protection.

If the injured party proves that the property owner was at least 50% at fault then they must prove that his/her injuries were proximately caused by the fall. Also, the fact finder will evaluate if the injured party was at fault for the fall. If the fact finder finds the injured party 51% at fault or more, then they are not allowed to recover any damages.

## **Q. What if you fell because of snow and ice?**

A. Slip and falls on snow and ice in Iowa can be difficult cases for the injured person to win. The law requires the

property owner to remove, within a reasonable amount of time, any snow and ice that has naturally accumulated on the sidewalk. The owner must exercise ordinary care in removing the snow and ice. The plaintiff must prove that the owner knew about the natural accumulation of snow and ice, or that it existed long enough for the owner to have discovered and removed it in the exercise of ordinary care. A violation of this law is negligence.

## **Q. If you cannot prove negligence can you still make a recovery?**

A. Maybe. Most property owners have insurance that is called medical payments coverage which pays medical expenses caused by the fall up to a certain amount usually from \$1,000 to \$10,000. However, some companies are self-insured and do not have medical payments coverage available.

If you or a loved one believe that you have been injured due to the fault of a property owner, we offer an Iowa injury book at no cost because we have seen too many people make costly mistakes. Injured Iowans are beginning to realize that the insurance company for the property owner is not their friend and they should learn about Iowa injury laws so they do not make a mistake which could cost them thousands of dollars. Finally, you can learn about Iowa injury cases in the comfort of your own home with no cost, risk or obligation so request your copy now by going to [www.IowaInjuryBook.com](http://www.IowaInjuryBook.com) or by calling 1-800-850-6617 (ext. 512) (24 Hour message).

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**TEMP RETURN SERVICE REQUESTED**



**Who won the contest  
 and what will Corey  
 buy Beth for  
 Valentine's Day?**

**OPEN NOW TO FIND OUT**

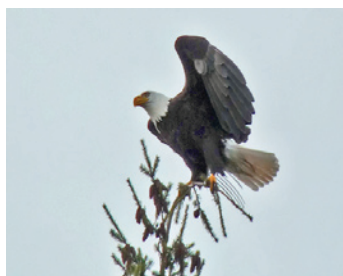
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On Saturday, March 6, 2010, from 10:00 a.m. to 5:00 p.m. join hundreds of other Iowans at the 22nd Annual Bald Eagle Days. You can see live eagles, hawks, owls and more at the Central College campus in Pella, Iowa for free. The birds are provided by the Minnesota Raptor Center and

there are staffed viewing stations located below the Red Rock Dam at the Horn's Ferry Bridge. One of the main features is raptor shows hourly from 11:00 a.m. to 4:00 p.m. in Central's Douwstra Auditorium.



Also, there will be an environmental fair and other activities for kids throughout the day in Central's Graham Conference Center. For more information, contact Tracy Spry at 641-828-7522 or 641-628-8690. If you have not been to

Pella before, it is a very nice town with lots of unique shops so if you are going, plan to spend the day there.

**Answer to  
 Solve the Sudoku**

8	3	6	5	2	9	1	7	4
2	9	1	7	4	3	8	6	5
4	7	5	8	1	6	2	9	3
5	4	8	6	3	2	7	1	9
3	6	9	1	7	5	4	8	2
1	2	7	9	8	4	3	5	6
9	1	4	2	6	8	5	3	7
7	5	3	4	9	1	6	2	8
6	8	2	3	5	7	9	4	1