

State Your Case

A Personal Injury Law Update Provided by the Law Offices of Petrillo & Goldberg, P.C.

Summer 2011

Petrillo & Goldberg, P.C.

ATTORNEYS AT LAW
Just Compensation for the Unjustly Injured

**\$430,000 FOR THE DEATH OF A 93-YEAR-OLD GRANDMOTHER.
\$2.3 MILLION FOR THE DEATH OF A SINGLE FATHER OF ONE.
HOW THE LAW VALUES DEATH**

Petrillo and Goldberg recently had two death cases settle, one for \$430,000.00 for a 93 year old grandmother and one for \$2.3 million for the death of a single father of one. So, the question inevitably arises, "How does the law value death?"

"There are basically three ways," said Scott M. Goldberg, Esquire, lead trial counsel for Petrillo & Goldberg. "The first level of value deals with the loss suffered personally by the decedent before they die." This includes the value of pain, suffering, disability or other damages that a person suffers before they die.

We must ask and consider questions such as "How long did the person suffer before they died" and "What was the compensable value of this suffering before they passed on?" added Goldberg.

Often traumatic death comes quickly and mercifully within moments or even seconds. Accordingly, Petrillo & Goldberg will utilize experts to determine how much conscious pain

and suffering occurred before death. "This includes both the length and time and the level or degree of suffering," said Goldberg.

Continued on page 2



What's Inside This Issue...

Page 2

Judge Petrillo Visits
Carson School

Attorneys Educate Colleagues

Page 3

Workers' Compensation
FAQ's

Page 4

Contact Us

AUTO INSURANCE ALERT

Like menus at a restaurant, there are many different choices of auto insurance coverage if you cause an accident. However, motorists can also buy coverage for themselves relatively cheaply in case the at-fault driver is not insured or doesn't have enough coverage to pay for your injuries.

Uninsured/Underinsured (or UM/UIM) coverage is mandatory in New Jersey. Many insurance agents offer the minimum coverage of \$15,000, which is used up quickly if you're involved in an accident.

"When you ask about someone's car

insurance policy, he'll usually say he has full coverage. But when you look at the details, often they'll have only the minimum coverage required by law. That doesn't go very far," says attorney Scott Goldberg, an expert trial lawyer skilled in representing victims of motor vehicle accidents.

"Essentially, minimum UM/UIM coverage is like no coverage," says Mr. Goldberg.

The cost of UM/UIM varies in price depending on the insurance company, but the average is less than \$200 per year for thousands of dollars of UM/UIM coverage.

Continued on page 3

FREE INITIAL CONSULTATIONS ■ 856.486.4343 ■ www.petrilloandgoldberg.com

How the Law Values Death *Continued from page 1*

The second value that the law permits in death cases deals with economic loss to dependents of the decedent resulting from their death.

“This is probably the greatest distinguishing factor in evaluating death cases,” said Goldberg. The law considers how much the decedent would have earned over the rest of his or her life, how much of this income would have been used to benefit dependent family members and what the present value of this economic loss calculates to.

“This second factor in evaluating death cases deals strictly with numbers,” added Goldberg. “So, while we use medical testimony to establish the value of conscious pain and suffering, we use economists to determine the future economic loss to loved ones resulting from a wrongful death case,” explained Goldberg.

The third factor deals with emotional losses stemming from a death claim. “Here we ask the painful question of the value to family members of the loss of the companionship, love, advice, guidance, encouragement and support resulting from their loved one’s death,” said Goldberg. “Basically, the closer the relationship and the stronger the bond, the higher the value,” Goldberg explained.

“We hope that you never need to know any of this information, personally,” concluded Goldberg. “These are some of the most difficult claims to evaluate and explain to grieving family members left behind. However, we continually endeavor to compassionately and zealously fight for the rights of those wrongfully damaged or injured by the negligence or fault of others,” said Goldberg. “This is what we do.”

Our Attorneys Educate Their Colleagues

It’s critical for attorneys to stay on top of their profession and changes in the law by taking continuing education classes. Only the lawyers who are the tops in their field lecture and teach to their peers and colleagues.

We are happy to report that Steven M. Petrillo and Scott M. Goldberg were asked to speak earlier this year at the New Jersey Association for Justice, formerly known as the Association of Trial Lawyers of America – New Jersey. Both Mr. Petrillo and Mr. Goldberg presented classes involving litigation and trial techniques.

New Jersey Association for Justice, founded in the late 1940s and incorporated in 1976, is dedicated to protecting New Jersey’s families by working to preserve and strengthen the laws for safer products and workplaces, a cleaner environment and quality health care.



Steve Petrillo



Scott Goldberg

Municipal Judge Petrillo Visited Carson School

Taken from Pennsauken School News

When Ms. Kristie Petrillo, a student teacher in Mrs. Fox-Tonia’s class at Carson School, began to look over the fourth-grade social studies curriculum, she was very excited to discover that she would be teaching the class about state and local government.

Over the past 20 years, her father, Pennsauken Municipal Judge Steven M. Petrillo has also served in New Jersey government in many capacities.

In addition to being a Pennsauken attorney, he served the community as a New Jersey State Assemblyman, Camden County Freeholder and Pennsauken Committeeman.

What better way to teach the fourth-graders about local government, Ms. Petrillo thought, than to have a former legislator and current judge come into discuss government practices firsthand.

Judge Petrillo visited the fourth grade class recently and with great enthusiasm and his typical, good-natured sense of humor, he discussed his roles as township committeeman and municipal court judge.

The students asked many questions and were especially interested in learning about the justice system and the responsibilities of being a mayor.

The Honorable Mr. Petrillo’s visit made their social studies chapter come to life, and the fourth-graders agreed that having the chance to meet the judge certainly was a treat.



Editor’s Note:

Welcome to Petrillo and Goldberg’s newsletter, *State Your Case*. Periodically you can read about our work in the field of personal injury and workers’ compensation law. For those who are Internet savvy, be sure to check out our redesigned Web site - www.petrilloandgoldberg.com and sign up for the firm’s e-newsletter. See you in the paper! Cheryl Squadrito.

Workers' Compensation FAQ's



An injury on the job can have devastating consequences on your health, your finances and your family. State laws are in place to protect injured workers, and the attorneys at Petrillo and Goldberg, with offices in Pennsauken and Woodbury, N.J. and Philadelphia, make sure their clients understand those laws and receive proper care and compensation.

What do I do if I'm injured on the job?

According to the State of New Jersey Department of Labor and Workforce Development, when a worker is injured on the job, he or she must notify the employer as soon as possible. Medical treatment should be requested immediately from someone in authority at the workplace.

N.J. Workers' Compensation Law states that the employer and/or its insurance carrier can select the health care provider(s) to treat injured workers for work-related injuries.

What if my employer doesn't report my accident to the company's workers' compensation insurance carrier?

Your employer should report the accident to the company's insurance carrier. If it is not reported, employees should contact the insurance carrier directly or file a claim with the Division. According to the state Web site, "proof of insurance coverage should be displayed in a prominent location at the place of business. If this information is not posted, you can obtain this information by writing to the Compensation Rating & Inspection Bureau at 60 Park Place, Newark, N.J., 07102 or by visiting its Web site at www.njcrib.com."

If you choose to file a claim, Petrillo and Goldberg attorneys can assist you with all the steps.

Who decides if and how I will be compensated?

If your employer is self insured, the workers' compensation insurance carrier will evaluate the case and

determine whether you are eligible for workers' compensation benefits. According to the Division, if you disagree with their determination, you have a right to file a claim with the Division of Workers' Compensation. This can be done by either filing an application for an informal hearing or by filing a formal claim petition.

What can I do if my doctor has allowed me to return to "light duty" work, but my employer says there is no such work available?

If you haven't returned to work and continue to receive authorized medical care for your injuries, according to the state Division, "you should continue to receive temporary disability benefits for the period of time up to and including the date the authorized health care provider indicates as the date of maximum medical improvement."

Are workers' compensation benefits taxable?

Workers' compensation benefits are not taxable, according to the N.J. Gross Income Tax law NJSA 54A:6-6.

For more about taxes and workers' compensation benefits: http://www.irs.gov/publications/p17/ch05.html#en_US_publink100032551.

The highly competent lawyers at Petrillo and Goldberg represent clients with personal injury claims, workers' compensation claims, slip-and-fall cases and automobile accident victims.

For more: www.petrilloandgoldberg.com.



Scott Schulman

Scott Schulman specializes in Workers' Compensation law.

Auto Insurance Alert *Continued from page 1*

"Nine out of 10 people don't know what uninsured/underinsured coverage is until it's too late," says attorney Steve Petrillo who regularly handles these kinds of cases.

Mr. Petrillo says UIM coverage kicks in when you exceed the minimum. Most significant injuries and damages can be covered with sufficient UM/UIM.

Mr. Petrillo recalls a young South Jersey couple that opted to pay for UM/UIM coverage of \$300,000. Sadly, the husband was involved in a head-on collision with an uninsured drunk driver. The young man suffered significant injuries and had severe leg damage. Thanks to their UM/UIM policy, they were completely covered and were awarded a significant settlement.

Increasing your UM/UIM coverage is an easy and relatively inexpensive way to increase your chances of being covered in case of a serious accident.

If you have questions about your insurance policy, contact the staff at Petrillo and Goldberg or visit their Web site - www.petrilloandgoldberg.com.

Petrillo and Goldberg Philosophy

Our Firm's Philosophy:

The lawyers at Petrillo and Goldberg strive to provide professional, aggressive, and conscientious representation to our clients who are seriously injured victims in the community. All of our clients are worthy of the hard work and competence that our litigation team brings to each and every case we handle.

Petrillo & Goldberg, P.C.

ATTORNEYS AT LAW

6951 North Park Drive
Pennsauken, NJ 08109

PRSR STD
US POSTAGE
PAID
PERMIT 58
BELLMAWR, NJ



The lawyers at Petrillo and Goldberg want you to call us if you're ever injured in an accident or at work. We want to be your law firm. If you have a legal matter that needs attention, please contact us. If we cannot handle your case, we will refer you to a competent firm that can. Please feel free to refer us to your family, friends and neighbors for their personal injury or workers' compensation legal needs. We welcome the opportunity to help you.

Petrillo & Goldberg, P.C.



Steven Petrillo
Member NJ Bar



Scott M. Goldberg
Member NJ, PA Bar
Certified Civil Trial Attorney, NJ



Scott D. Schulman
Member NJ, PA, GA Bar



Jeff Thiel
Member NJ, PA Bar

6951 North Park Drive
Pennsauken, NJ 08109

19 South 21st Street
Philadelphia, PA 19103

70 South Broad Street
Woodbury, NJ 08096

Office Hours: 8:00 a.m. - 5:00 p.m. • Monday - Friday

Telephone Emergency Availability: 24 hours • 7 days a week

856.486.4343 • Fax: 856.486.7979 • Email: SMG561@gmail.com

Website: www.petrilloandgoldberg.com

This Update is published as a service to Petrillo & Goldberg clients and friends and is intended for general use and information. The content should not be interpreted as rendering legal advice on any specific matter.