

The **BOYK** BULLETIN

CHARLES E BOYK
LAW OFFICES, LLC

11 Offices >>> NW Ohio & SE Michigan

Attorney Andrea Young Attends Scene of the Crash Workshop



The Ohio Association for Justice hosted a workshop for attorneys regarding what happens at the scene of a crash. Boyk Law's Andrea Young joined other attorneys from the state's most prominent Personal Injury firms at the day-long presentation, designed to demonstrate what happens at the scene of a severe motor vehicle accident. Ms. Young was the only attorney from NW Ohio to attend the event.

The workshop, held at the Wayne County Regional Training Facility near Wooster, Ohio, portrayed what happens at an accident scene after the 911 call is received. Attendees listened to examples of 911 calls. They learned how first responders assess the traumatic injuries sustained by the victims on

the scene and how they stabilize and prepare them for transport to the nearest medical facility.

The attorneys were instructed in the terms and jargon used by emergency personnel. They learned that an injured person must receive definitive

treatment within the first 60 minutes from the time of injury or appearance of symptoms. This is referred to as the "Golden Hour" and dramatically increases the likelihood of survival and enhances their chances of recovery.

Ms. Young discovered that some communities are equipping EMS and Fire vehicles with dashcam video systems. While the primary responsibility of first responders is to save lives, not to preserve evidence, these new dashcam videos may provide another record of the accident scene and could be a crucial piece of evidence in future accident cases.

Attendees were given demonstration rides in the back of an ambulance and could see

firsthand the difficulty of providing critical care in a moving vehicle. Attorney Andrea Young also received instruction on using extraction tools like the "Jaws of Life" to remove injured people from a damaged vehicle without compromising its structural integrity. The "hands-on" demonstration reinforced how first responders can utilize the equipment to save lives.

"The Experience highlighted the terror our clients can experience when involved in a serious accident." Said Andrea Young. "The workshop helped me to understand what they've gone through and how to better represent that traumatic experience in court."



CONTACT US TODAY!

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New Law Allows 18-Year-Olds to Drive Commercial Trucks

In the 2021 Infrastructure Bill, Congress added a requirement for the Department of Transportation to implement an apprenticeship program, which allows 18 to 20-year-old truck drivers to deliver goods outside their home states. The Safe Driver Apprenticeship Program (SDAP) requires younger drivers to be accompanied by an experienced CDL (Commercial Driver's License) driver while they cross state lines during their 120-hour and 280-hour probationary periods. Trucks used in the program must have an electronic braking crash-mitigation system and a forward-facing video camera, and their speeds must be limited to 65 mph.

They intended to increase the number of truck drivers to alleviate supply chain bottlenecks. Although many support this move by government officials, safety advocates have questioned the risks involved with teenagers driving commercial vehicles across state lines. Safety advocates have cited data from the C.D.C. showing that teenage

drivers, ages 16 to 19, are three times more likely than drivers 20 and older to be involved in a fatal crash. They say it is unwise to let teenage drivers be responsible for rigs that can weigh 80,000 pounds and cause catastrophic damage when they hit lighter vehicles.

As the D.O.T. allows younger commercial truck drivers, remember these steps to avoid a collision with a commercial truck:

- **Be aware of blind spots beside a commercial truck where the driver has zero visibility.**
- **Avoid changing lanes right in front of a truck.**
- **Do not drive on the right side of a truck when it is making a right turn.**
- **Merging improperly can cause a semi-truck to brake quickly or switch lanes.**
- **Ignoring a truck's attempts to change lanes by not slowing down or speeding up.**

Although most commercial truck drivers are highly trained, there are cases of reckless drivers. Call 911 to contact your local or state police agencies to protect others on the road if you see a semi-truck driving recklessly or violating local driving laws.

Other ways to report the driver include calling the phone number on the vehicle's "How's my Driving?" sticker, which usually links to the driver's company. File a complaint with Federal Motor Carrier Safety Administration (FMCSA). Once you submit a complaint, it becomes part of the trucking company's permanent record in the National Consumer Complaint Database. Report safety issues to the Ohio or Michigan Department of Transportation (D.O.T.). State and local agencies have regulations and rules they will impose on commercial trucks.

Boyk Law Hosts TBA Committee Members

Boyk Law hosted representatives of the Toledo Bar Association's Committees at an after-work event in our Holland office. Dozens of the area's finest attorneys enjoyed an opportunity for mixing and networking on September 29th. "As co-chair of the Young Lawyers Committee, other members and I wanted to host an event that would bring together all the members of the various TBA committees," says Andrea Young. "The Toledo Bar is known for being friendly and collegiate with one another, and frequently you will hear this referred to as 'The Toledo Way.' It's nice to access other professionals with vast experience and knowledge. It's important that the younger attorneys feel welcomed and know that they have the support of the local legal community."



The evening featured live music from Hepcat Revival and was one of the first opportunities since the pandemic to welcome guests into our Holland office for a social event.

Boyk Law Office Staff Build Beds for Kids Battling Cancer



Boyk Law Office staff volunteered to build beds for the Toledo chapter of Special Spaces, a non-profit group that provides "Dream Bedrooms" for kids with cancer. Special Spaces creates dream bedroom makeovers for dependent children ages 2-19 with cancer who are within one year of treatment. They only do bedrooms, where children

sleep, but also rest, play, and spend time away from the challenges of their illness.

Charles Boyk Law Office volunteers have been building multiple bunk beds, drawers, and dressers. The Furniture Assembly is part of a "Dream Bedroom" that Boyk Law is sponsoring. The Bunk Beds will be displayed in our Holland office until they are delivered to the Dream Bedroom. Boyk Law staff will also assist with painting, cleaning, and moving the furniture for the "Big Reveal" in November. Stay tuned for more details next month.

If you'd like more information regarding Special Spaces Toledo, visit their website at [specialspaces.org](https://www.specialspaces.org).

Technology Used to Reduce Premiums Can Also Prove Driver Negligence

Since its introduction, motor vehicle telematics (systems that record driver data) has quickly gained popularity among commercial fleet owners and auto insurance providers. The technology is offered to consumers as a cost-saving benefit through programs like State Farm's "Drive Safe and Save" or Progressive's "Snapshot." Commercial fleet vehicles can be monitored by gathering GPS navigation data and tracking engine, fuel monitoring, and safety analytics to improve costs and productivity.

As this technology expands, consumers should know if it can be used to determine legal liability or be used as evidence in several litigation scenarios ranging from vehicle accidents to divorce proceedings and even in contested child custody issues.

Various systems can collect driver data, such as the vehicle onboard diagnostic computer that provides the vehicle owner or repair technician access to the status of the various vehicle sub-systems.

Another method that is gaining in popularity is auto insurance company driver telematics systems that collect usage statistics to calculate your risk level with data related to how you drive, time of day you drive, hard braking, cell phone usage, speeding, and quick acceleration.

The auto insurance programs use sensors installed in the car which connect to your mobile phone and upload data. The gathered data results in reduced insurance premiums based on your driving performance. But this driving data could allow your car to be a witness for or against you. For example, suppose you are involved in an accident and have a "black box" or event data recorder from your auto insurance company installed in your car. In that case, the attorney may request the data to help establish liability or show negligence. The rule of evidence would decide what data is relevant to the case. The court may determine that only relevant data from the moments before the accident



is permissible as evidence. Recorded driver data can help establish liability in a civil case by applying the collected data to accident reconstruction.

There are some bright spots when considering telematics and litigation — circumstances in which the technology is an owner's shield against a negative legal outcome. These devices may afford increased protection in court when there are differences in witness testimony between a plaintiff and a defendant.

As a driver, you should understand what information is being recorded. Is your personal data or location going to be sold to other companies? Some may see it as an invasion of privacy. Does cost savings on your insurance premiums offset the loss of privacy?

Charles Boyk Law's Veteran Scholarship Deadline Approaches

Submissions for the Charles Boyk Law Veteran Scholarship close on November 1, with the winner announced on Veteran's Day, November 11th, 2022.

The scholarship was created as part of Boyk Law's continued commitment to the servicemembers of the United States Armed Forces and their continuing education. The 2022 Boyk Law Veteran Scholarship will award \$2,000 to a student currently attending an accredited college or university who has either served in the Armed Forces or is the child of a US Veteran.

This is the 7th year we are offering the Boyk Law Veteran Scholarship. This award is near and dear to our hearts. Thank you to all those who serve and continue to serve our country.

More information and application requirements can be found on our website at www.charlesboyk-law.com/2022-boyk-law-veteran-scholarship/



CASES OF INTEREST: OCTOBER 2022

Employee Dies on the Job Following an Exploding Tire

Our office represents the estate of a semi-truck mechanic who died while on the job. While working for a trucking company, a tire exploded and caused the man's untimely death. He left behind a wife, four children, and several grandchildren. The workplace incident is under investigation by OSHA. Our office is pursuing a workers' compensation death benefits claim and investigating whether a violation of a specific safety regulation occurred. In addition, our office is looking into a potential product liability claim against the tire manufacturer.

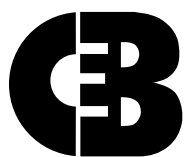
Rear End Auto Accident

Our client was traveling westbound on US 20 in Sylvania Township when she was rear-ended by another driver. The at-fault driver was traveling at a high rate of speed. The force of the impact pushed our client into oncoming traffic, which caused her to be struck head-on by a vehicle traveling eastbound. Emergency Services appeared on the scene and transported our client to the hospital, where she remained for several days. She was diagnosed with a broken spine and pelvis. Following discharge from the hospital, she was admitted to a rehabilitation facility and now faces a long road to recovery.

Boating Fatality in Ashtabula County

Our office represents the estate of a 74-year-old male who died in a tragic boating accident. The male was a passenger on his friend's 28-foot boat out on Lake Erie for a fishing trip. As the group of friends headed in from their fishing trip, the boat crashed into a break wall. The Coast Guard arrived on the scene and found one of the passengers unresponsive. Once brought to land, the male was transported by EMS to the hospital, where it was confirmed he died following the crash. The circumstances surrounding the crash are under investigation.





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October's Raving Fan of the Month

"This is the BEST accident attorney's office around! This Law office worked quickly and diligently on my car accident case. They handled my concerns and frustrations with care. They got my family and I the money we deserved. I was made a top priority at this law office. I would recommend this office to any and everyone. They don't just practice in car accidents. They specialize in a wide range of other malpractice lawsuits as well. If I could give it 10 stars, I would!" – Iesha W.

Have a positive review to share? Go to boykreviews.com to tell us about your experience!

Boyk Law Sponsors GlowRoll419 to Support Read for Literacy



Charles Boyk Law sponsored GlowRoll419, a slow-paced bike ride through Toledo after dark that raises money for local charities. Read for Literacy was the beneficiary of the October 1st ride, which was organized by Wersell's Bike & Ski Shop and featured approximately 200 cyclists.

"We do 8-10 of these events annually," says Jill Wersell. "People decorate their bikes with lights and take a slow ride through town after dark." The benefiting charity, route, and location change with each ride. This time, Glow-Rollers left from the Toledo Farmer's Market, rode down Monroe Street to Collingwood, and then headed toward the East side, where they visited Glass City Metropark and International Park before returning to the starting point.

Read for Literacy is the beneficiary of this ride every year. The organization helps adults, children, and families gain the skills they need to have literacy success. They work with Toledo Public Schools in 9 elementary schools and have volunteers in 8 library branches, helping kids with

literacy skills. They plan to use the funds to give kids their books to read at home. Statistics show that many impoverished kids don't have reading materials in their homes.

In 2020-21 Read for Literacy gave away 15,000 books to kids. Charles Boyk Law is proud to support this worthy organization.



New address or phone number? Help us stay current by letting us know!

Call (419) 241-1395 or e-mail marketing@charlesboyk-law.com