

BOLHOUSE, BAAR & LEFERE, P.C.
ATTORNEYS AT LAW

NEW RIGHTS FOR VICTIMS OF AUTO ACCIDENTS

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If you were injured in an auto accident sometime in the last 2 years and were told by an attorney that your case did not have merit, you might want to check again.

On July 31, 2010, the Michigan Supreme Court issued a decision, *McCormick v Carrier*, that overturned a 6-year-old decision (the *Kreiner* case) that restores the rights of innocent victims to recover compensation for serious injuries caused by the at-fault driver.

Under *McCormick*, the status of the law will return to the specific legal standards that were enacted by the Michigan legislature when it passed the current law 15 years ago. Under *McCormick*, the insurance industry will have more responsibility to the auto accident victims who have been paying premiums intended to benefit them.

The *McCormick* decision clearly illustrates the unfairness and injustice created by the *Kreiner* decision for people like Mr. McCormick who sustained a severe fracture to his ankle when his leg was run over by a truck. He required two operations to repair his shattered ankle. He was off work for 19 months and when he returned, was not able to resume his normal job duties. Medical testimony established that his injury had caused the onset of degenerative arthritis in his ankle joint, which is only bound to get worse over time. Victims like Mr. McCormick had never been denied compensation during the 37-year history of the Michigan No Fault Law until the *Kreiner* decision came down 6 years ago. After that, victims like Mr. McCormick were routinely denied the right to hold at-fault drivers accountable for injuries that significantly affected their quality of life. It is because of the unfairness of *Kreiner* for people like Mr. McCormick that the *Kreiner* decision had become universally condemned and ultimately overturned.

If you've suffered injuries in an auto accident in the last 2 years, feel free to call our office for a free consultation regarding your rights under the new law.