



FINNEY INJURY LAW

- TRIAL LAWYERS -

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*The choice of a lawyer is an important one and should not be based solely upon advertisements.*



## NO GUESSING, NO WAITING

### *Alex on Following the 24-Hour Rule in Client Communication*

Almost daily in our practice, we receive both positive and negative news. I strive to follow a 24-Hour Rule regarding sharing any new developments with our clients. The 24-Hour Rule is a straightforward yet powerful principle whereby I commit to communicating any news — good or bad — to my client within 24 hours *at most*. I prefer, when I'm able, to tell the client as soon as I receive it.

Let me give an example. One of the worst kinds of bad news we receive is notification from a defense lawyer or an insurance company that they conducted surveillance on our client (as described on Page 2 of this newsletter). It is stomach-dropping news. This practice by insurance companies makes my skin crawl. It feels like a violation.

We rarely see this practice by insurance companies, but when it happens, I feel obligated to tell our client immediately. Regardless of the tension and frustration I might feel, I have to exhale and deliver the news immediately. Empathy is required

in this situation. It is my obligation to lead our client forward. In some ways, surveillance by an insurance company actually turns out to be a gift for our side. Someone from the defense will have to explain this intrusive action before a jury. I do not envy them that task.

At a minimum, the 24-Hour Rule is a foundation of trust in the attorney-client relationship. Waiting to communicate important news can lead to worry or speculation. My goal is to help our clients feel empowered and involved in this journey. Furthermore, I have found that prompt updates always create opportunities for discussion about *anything* on our client's mind. When delivering news, I strive to communicate complex legal issues clearly and simply, so my client can easily understand. I also share with the client whether I have a plan to respond. And if I don't, I pledge to take the necessary time to reflect and strategize together.

The 24-Hour Rule is more than just a guideline; as a member of the legal profession, it's a commitment to excellence in client service. What are some core rules you live by?

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# TRIALS & THEIR TALES

- NEWSLETTER -

## MEDIATION UNMASKED

### THE CASE AGAINST SKIPPING TRIAL

Happy February, everybody!

In St. Louis, this is a dark, cold month, but it's also a short one. It brings several birthdays of family members, including my mom, two of my kids, and one of my brothers. We will have plenty to do.

I typically try in my newsletters to give you an inside view of what's going on at our office and what we are working to improve. I sometimes share our core values and experiences at trial.

I'd like to focus this month on the mediation process and my thoughts on it. You may not have heard of mediation in the context of personal injury litigation. It's a process where the opposing parties in a personal injury case meet with a mediator and try to resolve their dispute. The mediator goes back and forth between the two sides in separate rooms, or on Zoom, in hopes of reaching some kind of settlement.

And I'll just tell you up front: I am not a fan.

#### Hidden Agenda

In my experience, mediations are typically an opportunity for the defense to lean heavily on the plaintiff and wave some money in their face in hopes of persuading them to settle the case quickly. I despise that strategy.

Mediations are actually very taxing and emotionally exhausting for the plaintiff. The roller coaster, back-and-forth talks and the time spent waiting in the conference room or on Zoom can be very stressful, demanding more of participants than they realize. I don't like putting my clients through it. At the end of the day, some of them are so beaten down that they're willing to say yes to whatever is offered, just to end the process and the case.

In some cases, that might be how I feel, too.

Defense attorneys and insurance companies know this. That's why they push so hard for mediation. That's why they seek court orders for mediation. They know the process can have a discouraging psychological effect on the plaintiff.

#### Simpler Solutions

The litigation process is already hard enough; I don't think we need to pile on more challenges for the plaintiff. I often tell defense lawyers, "Why don't we just work it out between the two of us over the phone, or go back and forth on email?" Some of them are open to that. Others say they need mediation so their client, the insurance company, can be present and see firsthand what's going on.

Regardless of the defendant's motives, I never feel as if a case has been fully resolved when a mediation is over. Also, mediations are completely optional and nonbinding. You do not have to agree to the proposed settlement.

On a deeper level, mediation seems like a cop-out for trial lawyers. We take these cases on behalf of our clients in an attempt to give the jury a true picture of what our clients have experienced. We ask not only our clients, but the jurors, to trust us in this process of self-discovery and learning. Putting a case through mediation sometimes feels like short-changing that important process.

Of course, despite the drawbacks, there are some great mediators out there, and sometimes cases do need to be mediated. I don't want to come off as if I'm completely bashing all of them.

The real issue is one of our identity as attorneys. Are we here to be settlement lawyers or trial lawyers? Given that choice, at our firm, we will always choose to be trial lawyers.

*Ch.*



# The Parents' Guide to Getting Teens to Open Up

## NO NAGGING REQUIRED

Connecting with teens can feel like navigating a maze. One minute, they're chatty, the next, they retreat into their rooms or scroll endlessly on their phones. As a parent, you may wonder: How do I get them to open up? The secret often lies not in giving advice or nagging, but in asking the right questions that show you genuinely want to understand their world.

### Ask about their inner world.

Teens crave connection and validation, even when it doesn't seem like it. Instead of asking the usual "How was school?" try questions that invite reflection and honesty. For example, ask, "What's something you wish adults understood better about your life?" This simple question allows them to share feelings they usually keep hidden and shows you're willing to listen without judgment.

### Explore their dreams and ambitions.

Teens want to envision their futures beyond homework and social pressures. Questions like "How do you picture your life five years from now?" or "If fear weren't a factor, what risk would

you take?" encourage them to dream and explore possibilities safely. These conversations show you care about their goals and give them room to imagine who they want to become.

### Notice the small things.

Sometimes, connection is in the details. Ask questions such as "What's a small thing that always makes your day better?" or "What's your favorite memory of us together?" These moments let your teen know you notice and value the little joys in their life, which can strengthen your bond in subtle and powerful ways.

### Give them a voice.

Teens want to feel heard in family life, too. Questions like "If you could change one rule in our house, which would it be?" or "What's something you wish we did together more often?"

make them feel respected and involved in decisions that affect them.

### Show love and encouragement.

Finally, ask questions that reinforce trust and emotional safety. "Do you know how proud I am of you?" or "What's something I do that makes you feel loved?" express affirmation and support, reminding them they are seen and valued.

The key is to ask without pressure, listen without interrupting, and let the conversation flow naturally. These questions aren't meant to draw out perfect answers, but rather to create connection, understanding, and a space where your teen feels truly known. Start small, stay genuine, and watch your relationship grow in meaningful ways.

## Caught on Camera

### Secret Surveillance Tactics Used by Insurance Companies

Imagine stepping outside your front door to find a stranger with a camera watching your home, not because you are a celebrity or public figure, but because you filed a personal injury claim.

Sometimes, insurance companies will use unbelievable tactics outside the courtroom to discredit and intimidate plaintiffs, such as lurking outside their homes and filming. They're hoping to catch you doing something they can spin as evidence that your injuries are not as severe as you claim.

Insurance companies profit when they can deny or reduce a settlement amount, and they often work on the assumption that claimants are exaggerating their physical limitations. The private investigators they hire are trained to capture video and photos that make you appear more capable than you and your medical records have indicated.

Investigators may park near your home, show up at your appointments, and use telephoto lenses to record you from a distance. They may spend hours filming you just to get a few minutes of damaging footage.

Video surveillance, stakeouts, following claimants in public, and other tactics like these are ways to intimidate people. Plaintiffs who are being surveilled experience serious mental anguish, constantly looking over their shoulder in fear that anything they do may be used against them.

Pain after an accident fluctuates, and even if you have a temporary

improvement or can complete certain tasks, it doesn't mean you have fully recovered. The clips insurance companies present often lack context and don't show the whole story.

As hard as insurers may try to reduce or deny your claim with this footage, it can't stand up against your medical records and consistent, truthful testimony about your limitations. It's essential to be honest and detailed about your physical well-being throughout the process. Follow all the medical advice and treatment plan your doctor has given you, avoiding any physical tasks they have instructed you not to do in your current condition.

If you are experiencing aggressive tactics from the insurance company, you don't have to face this alone. Contact us for a free consultation, and our experienced attorneys will guide you through the process to ensure surveillance or intimidation doesn't undermine your claim.

# WHAT OTHERS MISSED

## Uncovering a Life-Changing TBI After a Truck Crash



When a young father was involved in a serious accident with a truck, he was up against one of the largest defense firms in Missouri, funded by an insurance company with billions of dollars behind it. He was just happy to be alive after the accident and didn't know the full extent of his injuries right away.

The defense quickly attempted to claim that our client hadn't sustained any injuries and was, in fact, responsible for the crash. We knew we needed to keep pushing.

We took the time to speak with our client and his wife to learn everything we could about him and the incident. While his torn shoulder clearly needed surgery, he was dealing with an injury much harder to spot: a concussive brain injury.

Traumatic brain injuries like this one are often missed, frequently not presenting symptoms immediately after an accident. When we spoke to our client's wife, we picked up on some telling signs when she shared details about what her husband was experiencing in the days following the crash.

Our firm has successfully handled TBI cases in the past, and we were able to see what others could not. We suspected that

his pituitary gland had suffered trauma in the accident and asked him to see a specialist. They found that the crash compressed his pituitary, disrupting blood flow and causing a growth hormone deficiency. He was able to start treatment and begin his recovery.

We invested thousands of dollars, tracked down eyewitnesses, and spent numerous hours listening to our clients to uncover the truth. Because we asked the right questions and refused to quit, we were able to secure \$1,525,000 for our client from the trucking company's insurance provider.

If we hadn't utilized our investigative skills and taken our client's injuries at face value, he may never have received the compensation he truly deserved. What's more, he may not have learned about his brain injury, which can worsen over time with no treatment.

If you have been injured in an accident, contact us for a free consultation. We'll ensure you have a fair fight against large insurance companies and receive the justice you deserve.



### INGREDIENTS

- 4 thick, boneless pork chops
- 3 1/2 tsp garlic and herb seasoning, divided
- 1 tsp sea salt
- 1 tbsp avocado oil
- 1/4 cup stone-ground mustard
- 1/4 cup fresh honey
- Fresh chopped parsley for garnish

### DIRECTIONS

1. Preheat oven to 350 F.
2. Pat pork chops dry before seasoning them with salt and 1 1/2 tsp of garlic and herb seasoning.
3. In a large, oven-safe skillet, heat avocado oil over medium heat.
4. Sear pork chops in hot oil for 1-3 minutes on each side.
5. In a medium mixing bowl, combine mustard, honey, and remaining garlic and herb seasoning while the pork cooks.
6. Remove pork chops from skillet. Add honey mustard mixture to the skillet and mix.
7. Place pork chops back in skillet and cover with sauce.
8. Place pan in oven and bake for 15-20 minutes, until pork reaches 145 F.
9. Set oven to broil for the final minute to allow the tops to caramelize and enjoy!

*Inspired by LoveFromTheOven.com*

## YOUR REFERRALS MEAN THE WORLD TO US

There is no greater compliment we can receive than a client telling a friend or loved one about us. If you know somebody who has been injured and needs an attorney who will fight on their behalf and give their case the attention it deserves, please pass along this newsletter and have them call us at 314-293-4222. Thank you for spreading the word about Finney Injury Law.