



TRIALS & THEIR TALES

- NEWSLETTER -

12444 POWERSCOURT DR., SUITE 300 • ST. LOUIS, MO 63131 // FINNEYINJURYLAW.COM // 314-293-4222 // MARCH 2026

NO SHORTCUTS

The Grueling Work Before a Trial-Ready Case

I am writing this column on a recent snow day, when we've had 7-10 inches of snow and temperatures dipping to 6 degrees below zero.

Our kids are off from school, and our office is closed. Technically, we are in work-from-home mode. This is difficult when you have children, as many of our employees do. Our expectations are tempered, but we still have to move things forward.

One of the most striking issues with our work is the need to be the instigator, to keep things moving forward. The defense is often quite content to just sit there and let a case get stale, or to allow a trial date to be pushed ahead. I've learned over the years that we must set internal deadlines of our own, well ahead of the court-imposed deadlines.

The reason: If we disclose something very close to, or after, a deadline, the other side may move for a continuance. Avoiding a continuance is one of the most motivating factors we have. If a case gets continued, it may be punted ahead by three months, nine months, or 18 months, causing litigation to drag on. Therefore, we strive to keep moving the ball forward. Of course, that takes internal discipline, which I admittedly lack. It is tough to set hard deadlines and not procrastinate.

Right now, we have a sizable case pending, and we are pushing very hard

to meet our own internal deadlines for depositions and disclosures. That is difficult, because it requires work from more people than just us. We need to schedule deposition dates with medical providers. We need to make sure different parties' calendars are open, and that the plaintiff's treatment is far enough along that we can *do* a deposition.

We're trying to get all this done to avoid a continuance motion from the defense ... which I fear is coming regardless. I'm even more worried that the court is going to grant it, so we are working very hard to meet deadlines months in advance on our end. That will include filing motions for summary judgment and preparing motions *in limine*, which will affect the evidence presented at trial.

As a result, it feels as if we are moving fast, even though the trial is almost six months away. And despite all of our efforts, the court may continue the case. That is out of our control. The best we can do is to show the court we have done everything we can to get this case ready by the designated trial date.

For us, all this sometimes feels like being the lead sled dog dragging everybody else along for the ride. You are begging, you are pleading, you are doing everything you can to get this thing going. Our paralegals are

desperately trying to get responses from people. For depositions, some medical providers take more than two weeks to respond. We face the delicate question of whether we should subpoena them. Sometimes, a subpoena can backfire.

Not to mention another factor we have to consider, the defense lawyers' schedule. Oftentimes, they have conflicts. For example, one just told me he was unavailable for the next 60 days ... for anything! It is tough to get things done when you encounter obstacles like that. And you cannot run to the court for relief every time, because it may look as if you are whining or "telling on" someone. The best we can do is just push forward at the pace we've set for our office.

Sometimes, we simply have to trust the process and the actions we are taking. We can't know when the outcome will become clear, whether we will achieve the outcome we desire, or even an outcome that is reasonable or just in the case. That is the nature of the business ... and we are fully immersed in it ... with our eyes wide open.



Hands-On Independence Teaching Teens How to Tackle Home Projects

Can you picture a teen confidently tightening a loose door handle, fixing a leaky faucet, or assembling a bookshelf, all without asking for help? Teaching teens repair skills goes beyond tools and hardware; it's about giving them independence, practical problem-solving abilities, and the kind of confidence that lasts a lifetime. These hands-on lessons transform ordinary weekends into opportunities for growth, bonding, and creative fun, while also equipping them with life skills they'll use far beyond the walls of your home.



Start with the basics.

Before tackling larger projects, teens need a foundation in essential tools. Show them how to use a hammer properly, choose the right screwdriver, measure accurately, and handle pliers safely. Once they're comfortable, you can introduce beginner-friendly power tools, such as a cordless drill or jigsaw. Learning how to handle these tools correctly not only boosts confidence but also encourages careful attention to detail.

Make safety a habit.

Safety comes first. Teach teens to wear goggles, gloves, and masks when necessary, and stress the importance of keeping their workspace tidy. Explain proper tool storage, cleanup routines, and basic emergency preparedness, including knowing where to find the first-aid kit.

Tackle practical household projects.

Start with simple, rewarding tasks, such as fixing a dripping faucet, patching a small hole in drywall, or replacing a light fixture. Even assembling furniture or hanging curtain rods offers instant satisfaction and tangible results. These small victories teach patience, precision, and troubleshooting skills, all while improving the home and reinforcing the teen's sense of accomplishment.

Build independence and confidence.

Every repair, no matter how small, teaches resilience and fosters problem-solving skills. Teens learn that mistakes aren't failures but, instead, learning opportunities. With each completed project, their confidence grows, and so does their ability to handle everyday challenges. By teaching repair skills, you're giving them a toolkit for independence, creativity, and self-reliance that will benefit them long after they leave home.

BIG RIGS AT RISK

Jackknife Danger: Spotting Trouble Before It Strikes

Missouri drivers know the feeling better than most: You're driving your car down the highway behind an 18-wheeler, keeping a safe distance, but the sheer size and speed of the semi is making you a little uneasy.

Sometimes, those worries are warranted. If the trailer swings out at a 90-degree angle into the next lane of traffic, a multicar pileup can ensue. A jackknife accident is one of the most devastating kinds of truck crashes. Our state's central location and numerous interstate and state highways make us a national crossroads for truck traffic, increasing the likelihood that you, as a Missouri driver, will see a crash like this at some point.

A jackknife truck accident can be especially difficult to avoid. Drivers can lose control of these big rigs for several reasons. They may have to slam on the

brakes to avoid hitting a vehicle that slows suddenly in front of them, causing the trailer to swing out to one side. Their trailer may be improperly loaded; if the truck ahead of you appears top-heavy or lopsided, beware. That trailer is at above-average risk of swinging out on steep hills or during sudden turns.

A poorly maintained truck can be hard for a driver to control. Slick tires, worn brakes, and broken trailer hitches can sharply increase the risk of jackknifing. And, of course, a road that is icy or wet from snow, sleet, or freezing rain reduces traction, contributing to a driver's loss of control.

For your safety, in dangerous weather or heavy traffic, it's best to keep an especially large distance between you and any 18-wheeler, especially one that is swerving on the roadway or appears to be poorly maintained.



If you have the misfortune of being involved in a crash with a jackknifed semi, consult an experienced truck accident law firm. Investigating and determining liability in a truck accident can be complicated, involving multiple liable parties, from the truck driver and trucking company to the loading crew or manufacturer. If you or a loved one has been injured in a highway crash, call us for a free consultation today. We have a track record of success in these cases, and we will ensure you receive the compensation you deserve!

IS MY CHILD SAFE?

Daycare Risks in an Era of Staff Shortages

Finding safe, affordable child care has never been easy for working parents. Now, a growing shortage of daycare workers is making it harder.

Some 4 out of 5 U.S. daycare facilities have continuing staff shortages, according to a national survey. A major reason is that many child care workers barely earn the minimum wage.

Minor tumbles and scrapes may be normal. But in times of staffing shortages, the likelihood that your child will be seriously injured in daycare tends to rise, making it especially important to screen child-care providers carefully before entrusting your child to them.

Ask for proof that the facility has run criminal background checks on staff members. Pay attention to the ratio of adults to children in the home or classroom where your child will be staying. State rules require that an

individual caregiver oversee no more than four infants through 2 years old; no more than eight children at age 2, and no more than 10 youngsters ages 3-4. The state also sets limits on the group size in each room.

We hope you never experience problems with your child's daycare. But in the event your child is injured as a result of negligence by the staff, a lack of safety training or knowledge, or unsafe facilities or broken equipment, you have a right to fair compensation.

In a particularly egregious case, our firm recently won an \$850,000 settlement on behalf of a client who was seriously injured at a Missouri daycare. Not only did daycare employees allow the child to ride a wagon down a flight of concrete stairs, but they deliberately refrained from intervening so one employee could record a video of this



dangerous activity. After the child fell out of the wagon and hit her head on the concrete, the staff ignored her need for emergency care, telling her to lie down and go to sleep. Several hours later, the child's mother arrived to pick up her daughter and had trouble waking her. Sadly, when she took the child to the ER, her youngster was diagnosed with a fractured skull and traumatic brain injury, conditions that have changed the trajectory of her life.

If you encounter negligence or other problems with your child's daycare, our experienced daycare injury lawyers can hold caregivers accountable. And hopefully, our advocacy in your case will help ensure that no other parents experience the same devastating heartbreak.

Peanut Butter Banana Dog Cookies

INGREDIENTS

- 1 3/4 cups old-fashioned rolled oats, divided
- 1/2 banana, cut into 4 pieces
- 1/4 cup peanut butter with no artificial sweeteners
- 1 egg

DIRECTIONS

1. Preheat oven to 350 F. Line a baking sheet with parchment paper or non-stick spray.
2. In a food processor, grind 1 1/2 cups of oats into a flour texture, then move to a medium bowl.
3. In the food processor, combine bananas, peanut butter, and egg until well blended.
4. Pour mixture into bowl with oat flour, then add the remaining 1/4 cup of oats and stir.
5. Scoop out 1 tbsp portions and roll into balls.
6. Using a fork, flatten balls and make a criss-cross pattern. Bake for 15 minutes.
7. Let cool before serving; keeps for a week in an airtight container.

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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.



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- TRIAL LAWYERS -

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



A TOOL FOR JUSTICE

Alex on the Power of Jury Instructions

Our law firm is in the courtroom as often as possible. Courtrooms are where we win real justice for our clients.

By the time we reach a jury trial, countless hours of preparatory work have already been done. One

of the most important aspects of a jury trial is the instructions given jurors before closing arguments. These tell jurors exactly what legal issues they must resolve, and how the law should guide their decision-making. In our cases, jury decisions usually revolve around two questions: Who is at fault? And what damages should be awarded to the plaintiff?

Jury instructions can be complicated and cumbersome. We are fortunate that Missouri has adopted a set of approved instructions. However, we must make several decisions in advance to ensure the jury instructions align with the facts of the case. Long before the jurors enter the courtroom, we are strategizing about which jury instructions to select.

One of our best practices is to use the approved jury instructions to craft our initial pleading, or petition. This ensures the allegations in our petition track the exact language the jury will hear before closing arguments. Then, in our closing arguments, those instructions become a powerful teaching tool to educate the jurors on their role.

To raise the stakes even further, one of the leading reasons decisions are appealed after a jury trial is claims of errors in the jury instructions. Appellate courts are asked to decide whether the trial judge made wise use of the discretion they have in deciding what instructions to give. As I write this article, the firm is preparing an appeal of a jury decision last year regarding whether the judge erred by failing to instruct the jury on comparative fault, a requirement that plaintiffs be awarded damages in proportion to the degree to which they were at fault in an accident.

Personally, I love assembling jury instructions. They serve as tremendous guidelines that help me step back and think about how we must rely on the law, instruct jurors on the law, and best present the issues for the jury to decide.