



If You Get in an Accident out-of-state, Should You Hire a Lawyer in That State?

by James Abrenio

Virginia gets a lot of out-of-state drivers. People come here for vacation, business, or just passing through on their way up or down the East Coast. Because Virginia has some of the worst traffic in the nation, we see many out-of-state drivers involved in car accidents and fender benders. When this happens, one common question I get from out-of-state drivers (or out-of-state attorneys) is whether they should get a Virginia attorney on a case for a Virginia accident. The answer is simple – yes.

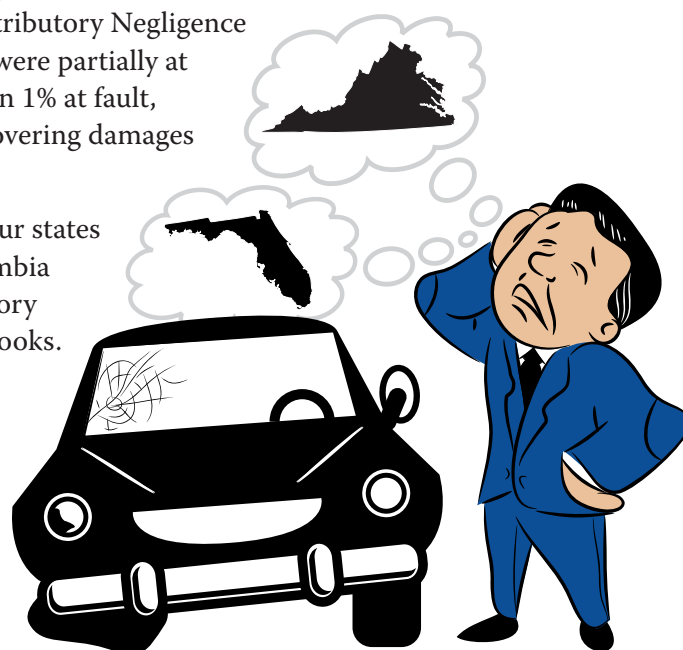
Your Accident Case Jurisdiction is where the Accident Happened

Personal injury claims arise in the location where you were injured. So if you were in Virginia on vacation and got hurt in an accident, your case will be here. That means Virginia laws apply and your case will be determined by Virginia laws.

Just like every state, Virginia has unique laws that may seem unusual to out-of-state drivers. The biggest issue for car accident victims is Virginia's Contributory Negligence Rule. That means if you were partially at fault for an accident, even 1% at fault, you are barred from recovering damages from your accident.

Virginia is one of only four states and the District of Columbia that have pure contributory negligence laws on the books. Out-of-state attorneys won't be accustomed to pursuing personal injury cases with this high threshold of comparative fault.

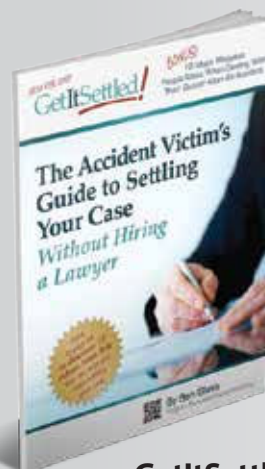
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Why the United States of America is the GEATEST COUNTRY ON EARTH



We Are Free to Say and Think as we Please

In a year where protests are broken up by government violence (Russia, Venezuela) and a man can be sentenced to death for a blasphemous Facebook post (Pakistan), it's important that we keep speech as free and open as possible in this country. No one has the right to your mind and your beliefs. Society thrives when people are able to discuss new ideas openly without fear of retribution.

The cost of this is that you hear a lot of ignorant ideas in our discourse, but it's MUCH BETTER than burying the idea by force and leaving believers feeling victimized and more entrenched than ever. The great irony is that censorship can actually empower ideas over time. If an idea will not survive in the light, don't give it the option to survive in darkness.



Americans are Kind and Generous

Our most recent data shows that Americans gave over \$370 billion to charity, a number that continues to grow and set records year after year. It feels like the world is overwhelmed by tragedy these past couple years, but the silver lining has been the way in which many communities have bonded together to love and support each other in the face of violence and hatred.

The late Fred Rogers, known to generations of children as Mr. Rogers, shared some advice his mother gave him about tragedy: "There was something else my mother did that I've always remembered. 'Always look for the helpers,' she'd tell me. 'There's always someone who is trying to help,' I did, and I

came to see that the world is full of doctors and nurses, police and firemen, volunteers, neighbors, and friends who are ready to jump in to help when things go wrong."

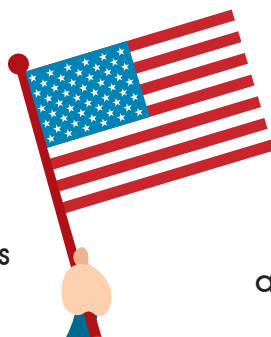


Our Economy is Growing and Competitive

Politicians complain about GDP growth (Gross Domestic Product – the monetary value of all the finished goods and services produced within a country's borders in a specific time period), but for a country as large and as developed as ours, 1.5% annual growth is still quite the feat. Since the recession, certain sectors of our economy have been growing in leaps and bounds: healthcare, computer science, construction, engineering, and energy, just to name a few. Our students are embracing STEM majors (Science, Technology, Engineering, and Math), and our literacy rate and college graduation rate continue to be among the best in the world.

The internet has opened up a whole new world of efficiency and instant gratification. America continues to be at the forefront of raising the standard of living for people all over the globe. More than that, we still represent a shining example of what a nation can become when everyone has a voice and their rights are protected. This great big melting pot is working, and we don't hear about it often enough.

We're well aware that this country is far from perfect. The media won't let us forget it. But at a time like this where we take a step back and celebrate our independence, it's nice to remember that America is still a place where people can be free, protected, and empowered to become the best versions of themselves. Have a happy and safe Fourth of July. ■



BGL's Best Bites:



NOT YOUR GRANDMA'S BARBECUE SAUCE

Courtesy of Tifiny Swedensky

Ingredients:

- 1 cup balsamic vinegar
- 2/3 cup ketchup
- 1/4 cup brown sugar
- 3 TBS honey
- 1 clove garlic, finely minced
- 2 TBS Dijon mustard
- 1 TBS Worcestershire sauce
- Onion salt and/or pepper to taste



So tasty!

Directions:

- 1 Stir all ingredients in a small saucepan until thoroughly mixed.
- 2 Bring to a simmer over medium heat. Reduce to medium/low heat and continue to cook until reduced by 1/3, stirring occasionally. ■

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With that in mind, you need a Virginia attorney to work on the case. Virginia attorneys are better suited to know the ins and outs of Virginia laws and courts. It's just common sense.

I Found an Attorney in my Home State. Can't That Attorney Just Handle my Case?

Well, technically, yes. However, should the case actually need to be litigated, that attorney will either have to be permitted by the court to practice in Virginia (and get a Virginia attorney to sponsor him or her) or the attorney will have to ultimately hire a Virginia attorney to resolve the matter.

Personally, I think it adds unnecessary complications to cases to hire out-of-state attorneys to handle Virginia claims. Just like I'd never handle a case in Colorado or Tennessee, I think you'd be best served to hire a Virginia attorney for your Virginia claim.

Many believe that retaining an attorney who lives out of state is complicated, but in reality, it is not difficult. While we recommend meeting the attorney you will hire in person, if it is unreasonable to travel to Virginia, you can do phone consultations or video interviews with many attorneys before you hire. The statute of limitations for car accident cases is two years in Virginia, so you should have time to recover from your injuries and interview attorneys before you have to file your claim.

Don't let the insurance company rush your decision. Though you are an out-of-state driver, you still have time to research Virginia car accident cases and hire the right attorney to help you. ■



Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call the office at 703-544-7876, and schedule an in-person or phone appointment, usually within 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email—call the office instead.

This publication is intended to educate the general public about personal injury, medical malpractice, and small business issues. It is not intended to be legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

3915 Old Lee Highway Suite 22-B
Fairfax, VA 22030
tel 703.544.7876 fax 703.783.0686
www.BenGlassLaw.com

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Congratulations, James Abrenio and Brian Glass, on being named Rising Stars by Super Lawyers



The Virginia Rising Star list is an elite club and a great sign of things to come for James Abrenio and Brian Glass (Ben's oldest son). Even

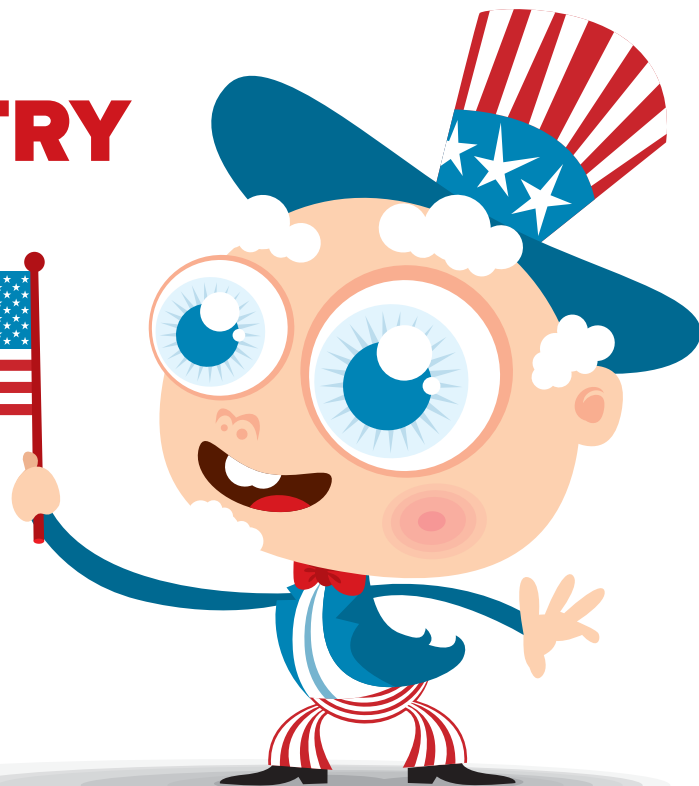
though Brian works at a different firm, we're all about spreading the love here at BenGlassLaw, and Brian deserves it. Soon, James and Brian won't just be seen as young up-and-comers, but as established members of the local community, helping Virginians solve their legal problems compassionately and efficiently. If you have any questions about personal injury or criminal law in Virginia, don't hesitate to give James a call!

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Why the United States of America is the GREATEST COUNTRY ON EARTH

This year in particular, the news media feels more negative and divisive than ever. Everyone is so concerned with fear mongering, sensationalism, and scoring political points that we don't take a step back and appreciate how far we've come as a country. As we celebrate our independence this month, it's worth it to take a breath and admire this grand experiment set in motion 241 years ago.



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CUT OUT THIS QUOTE AND PUT IT ON YOUR REFRIGERATOR! Then Read This Article in its Entirety.

I'm going into my ninth year in the NFL and we are just now moving into our dream house. That's the difference between rich people who keep their money and rich people who lose their money: They both have nice things—houses, cars, the luxury lifestyle—but the ones who are able to keep their money live the luxury lifestyle LAST, while the one who lose their money live the luxe life first."

Glover Quin, safety for the Detroit Lions. Quin lived on about 30% of his take-home pay during the first three years of his NFL career. (Source: Inc. Magazine, June 2017.)

By Pete Sheffield (Flickr) [CC BY-SA 2.0 (<http://creativecommons.org/licenses/by-sa/2.0/>)], via Wikimedia Commons



A mantra that Sandi and I have preached around our dinner table for years (and I preach to my employees at the conference table in my office) is "rich people have large libraries, poor people have large TVs." Last month, I told you to wander around a bookstore. Hope you took me up on it. How about the library? Same deal, except you can't mark the books up and rip out important pages like you do when you own the book.

If you want to ensure your financial security, you need to be able to adapt to change. You can't continue to learn what you need to learn by reading Tweets, Facebook messages or Instagram. Being adaptable is only possible if you continue to learn new things. Ever since I can remember, my car has been a "traveling university," and I'm certain I own over 1,000 educational CDs collected over the years and still listen to them over and over. Last month, we offered a free copy of *Success for Teens* to anyone who reached out to us. Disappointed that so few did. Maybe all the teenagers in our area have this "success thinking" down pat. I hope so. We are doomed if I'm wrong. ■

Our David graduated from high school and will be attending George Mason University in the fall to study government and international relations. Sounds like a great match for a guy who came to our family about 8 years ago, not understanding a word of English. Congratulations, David!



JOIN *THIS* RESISTANCE



This month, we celebrate the birth of our country. Sadly, many do not give much thought to this at all. I'd encourage you to read a history book this summer. (There he goes again, ranting about book reading.) *Miracle at Philadelphia* is one that I enjoyed reading at the beach several years ago. It's the enormity of the process of founding an entirely new type of government that really struck me. (Think about it: Philadelphia in July; no air conditioning, no Internet, not even any *real* pens.) Above all else, these men crafted a form of government that, for the first time in history, guaranteed that *individual liberty* will be preserved.

Liberty means that you, and only you, have the right to make decisions about what you do for your life. As long as your decisions do not tread upon another's right to decide what actions to take that are best

for his/her life, your choices must be honored. Liberty does NOT mean that you can force someone to take an action they don't want to take. These "rules" are pretty simple.

Have you contemplated recently what all this really means? I stand up and applaud when I see efforts to resist the diminution of individual liberty.

Things like:

- A for-profit media company, **Spoon University**, offering *unpaid* student writer internships knowing that some idiot will sue them, claiming some level of "unfairness. ***This is liberty in action.*** Interested students being free to offer their talents at

no cost because they want to. No one should get in the way of that.

- The **University of Chicago**, **Brown University** and **Claremont McKenna College** and others telling their students: "If you need a safe space to be free of ideas you find uncomfortable, we are NOT the place for you." Seriously, if your kid's college advocates any restrictions on the free exchange of ideas, provides for any "safe places," ***join the resistance*** and get your kid out of there as fast as you can. Not only is the real world rough and tumble, but had there been safe spaces at the Constitutional Convention, we might still be living in kingdoms, not neighborhoods.
- The recent full recognition by the Supreme Court of the United States that the ***government should not have***, and indeed, ***does not have***, any legitimate interest in telling people who they can marry. Ever since I started thinking about this in law school, I've believed that the government should have no role in the institution of marriage. ■

SMALL BUSINESS WORLD

WILL ORDERING KIOSKS AT RESTAURANTS REALLY DESTROY JOBS?

Walked into one of those new McDonald's where ordering kiosks have replaced humans yet? There's one down in Rosslyn.

What's interesting is that despite concerns by some that kiosks are "replacing entry level jobs," turns out they are actually increasing the number of employees that fast food companies need. Turns out that ordering the food was a bottleneck for the fast food industry. Make THAT process faster and more accurate and you actually sell more food, get more people in the door, and increase the need for people who can prepare the food or handle the cleanup. The Panera restaurants that have the digital ordering in place have seen an increase in order volumes and size as well as the customization that requires more people behind the counter to make the food. Starbucks is adding extra baristas as more and more of its customers pre-order their drinks through the Starbucks app.

If you are a small business owner, ask yourself this question: where's the bottleneck in my business? What could you change about the way a customer/client/patient does business with you that would not only delight them, but enable you to sell more of whatever it is you sell? It's there, for sure. My view is that you usually have to look outside your own industry to find the key.

The first use of a drive-through window for service was by the banking industry in 1930. Today, 70% McDonald's revenue comes through the drive-through window, yet it wasn't until 1975 that McDonald's even had a drive through. (Slow learners!) ■

(Sources: Entrepreneur Magazine, June 2017; Wikipedia.)

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