

**FOREWORD TO RELEASE 4.0 OF  
WINNING YOUR PERSONAL INJURY CLAIM**

The Internet has revolutionized the practice of law through its power to level the litigation playing field. Today, a knowledgeable layperson can access information that once was the sole domain of large law firms and corporations. The same advantage accrues to small law firms and solo attorneys. Lawyers and litigants simply can't afford to ignore the resources available on the Internet.

In many ways over the past 10-15 years, personal injury litigation has become much more difficult for plaintiffs. Public attitudes have shifted. Insurance companies and their lawyers fight harder and investigate claims and lawsuits more thoroughly than ever. The Internet is the main counter-balance to this new reality. Chapter 10 of Release 4.0 describes many valuable websites. I hope you find them helpful in the process of Winning Your Personal Injury Claim.

I use the Internet extensively in my practice, not only for seeking information, but also for offering it to others. Much of the information that is new in Release 4.0 of this book came from my legal self-help e-newsletter, which comes out every three weeks. If you would like to receive it, free of charge, simply email me at [LegalAidman@verizon.net](mailto:LegalAidman@verizon.net).

In addition my website now has an mp3. You can hear me speak about the many litigation resources available via the Internet. Just click on the forward arrow of the audio player at <http://www.legalaidman.com/>

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**CHAPTER 10 OF WINNING YOUR PERSONAL INJURY CLAIM**

The Internet has countless resources for the person involved in litigation, and it is all just a click of the mouse away. There are powerful websites that will help you locate people and their assets, get criminal records, and much, much more. While many are free, some charge for their services. This chapter explains how to find information that can be useful in winning your personal injury lawsuit.

**Locating defendants**

Locating the defendant in your lawsuit is of prime importance, and it's not always easy. In the days before the Internet, you would contact the post office, the department of transportation, the bureau of vital statistics and other agencies to obtain current address information. The Internet has dramatically simplified this important task, and Google is

probably your first approach. If your first search doesn't turn up your defendant, remember to try variations on the name. If searching Google or using other search engines still doesn't help, you can try the following resources, which offer basic information at no cost:

www.switchboard.com  
www.infousa.com  
www.anywho.com  
www.zabasearch.com  
<http://find.intelius.com/>

Many lawyers use switchboard.com. It is easy to use and has many features, including reverse phone lookup.

To find email addresses (membership costs \$19.95), try:

<http://www.theemailfinder.com/?hop=findit1st>

To find a cell phone number, go to:

<http://www.cell-phone-numbers.com/>

Sometimes it is important for you to be able quickly to determine where a person is from. If all you have is an area code, you can quickly find the location. To search for an area code, go to:

[www.bennetyee.org/ucsd-pages/area.html](http://www.bennetyee.org/ucsd-pages/area.html)

For free directory assistance:

<http://www.free411.com/searchresults.php?searchtype=2>

### **How search tools can work for you**

A seven-year-old boy suffered severe injuries to two of his fingers when an improperly mortared cement block fell on his hand, resulting in damage to the growth plates. It is sometimes difficult to properly assess the value of injury cases involving children. Although there are advantages to having a sympathetic child as a plaintiff, there are also times in which it is prudent to wait until the child reaches his full height. In such cases, if the case does not settle and suit is required, the passage of time may make it hard to locate and serve the defendant with the suit papers. With Google and other search tools, you may be able to locate your defendant in a matter of seconds. That's what happened in this case. The case settled soon after the defendant was located and served.

### **Criminal records and more**

A favorite search tool is:

[www.accurint.com](http://www.accurint.com)

Accurint bills itself as the most widely accepted locate-and-research tool available to government, law enforcement and commercial customers. Its data-linking technology returns search results in seconds. Accurint is a low-cost way to find people, locate assets, obtain criminal records, etc. For less than \$5.00, Accurint provides an extensive list of relatives of the person you are researching. It provides partial Social Security numbers in its search results, which can help confirm an identity if you have the full number.

Accurint is a very powerful search tool and a favorite among trial lawyers. A friend who works for the Internal Revenue Service starts with Accurint when he wants to track debtors and their assets. These are strong testimonials to Accurint's power. To access Accurint, you must fit into one or more of the categories of approved users that are listed on the website.

### **Determining assets**

There are other ways to find out about your defendant's assets. To locate last known addresses, neighbors, phone numbers and assets at \$2.00 per search, try:

<https://www.merlindata.com/>

Another great tool is KnowX.com. The site says that it "is the place to start to find accurate information about businesses, people and assets, and to discover the critical relationships between them. Run a background check on a business, locate assets, verify property value, and more using nationwide public records compiled from official data sources." You can find KnowX at:

<http://knowx.com/>

Another quick and accurate site for an assets check is:

<http://www.theintelligencegroup.com/>

### **Driving records**

Web-based searches of driving records can turn up valuable information during accident investigations.

### **How driving-record searches can work for you**

In the case of a young man who tragically was run over by an 18-wheeler based in New Jersey, the New Jersey Department of Transportation made available an amazing amount of information about the truck driver and his company at:

<http://www.state.nj.us/transportation/>

In addition, the driver of the truck was licensed in Pennsylvania, where, as in many

states, you can gain access to driving records. In Pennsylvania, the form to request driver information is at:

[www.dmv.state.pa.us](http://www.dmv.state.pa.us).

Driving records showed that the driver of this tractor-trailer had four speeding violations and two careless driving violations, all in the last six years before running over the young man. Notwithstanding this disgraceful record, his employer gave him the keys to an 18-wheeler. This exposed the employer to a claim for punitive damages for negligently hiring this driver.

The employer's representative was apparently unaware of his driving record. Unfortunately for them, federal regulations require that the employer keep a copy of each trucker's driving record in the employee's file. Ignorance of the law is no excuse.

### **More public records**

Other public records search sites include:

<http://searchsystems.net/>

This company states that it is "the largest directory of links to free public record databases on the Internet." You can find business information, corporate filings, property records, unclaimed property, professional licenses, offenders, inmates, criminal and civil court filings, etc.

Or you can try:

<http://theultimates.com/>

Here you can search Internet resources like phone books, email directories and trip planners. The form for each resource is integrated into the site, and Javascript copies the information from one blank to another. This saves time and effort. You can find the phone number and address of the person you specify in any area of the U.S., information about businesses in the US, plan travel routes, obtain maps of any travel destination and find email addresses of individuals all across the Internet.

For a resource for business information, corporate filings, property records, unclaimed property, professional licenses, offenders, inmates, births, deaths, marriages, criminal and civil court filings, etc.:

<http://searchsystems.net/>

### **Other legal research**

A wealth of resources for legal research is available on the Internet. Here are just a few examples:

www.ag-legal.net  
http://www.loislaw.com/  
www.westlaw.com  
www.lexis.com

The Library of Congress Law Library is at:

<http://www.loc.gov/law/public/law.html>

### **Corporate names**

When you sue a corporation, it is essential that you name the corporation correctly in the lawsuit. For example, if you are suing K Mart, you must name them as “K Mart Corporation.” Most, if not all, states have websites that provide this information. In Pennsylvania:

[www.dos.state.pa.us](http://www.dos.state.pa.us)

It is important to know the county where a defendant resides or has its business. When you file suit, you must serve the suit papers on each defendant. In many states, only the sheriff or constable in that county can serve the papers. One of my favorite sites to find out the proper county based on a place name or zip code is:

<http://quickfacts.census.gov/cgi-bin/qfd/lookup?state=51000>.

### **Property owners**

Especially in fall-down cases, it is important to know the identity of the owner of the property where the injury occurred. There are many ways to determine this. You can run to City Hall and check the deeds. Many real estate professionals have listings. The Internet may provide the information most effectively. Most big cities have websites where you can find this information. For example, to determine ownership of a property in Philadelphia, try:

<http://brtweb.phila.gov/default.aspx>

### **Government databases**

For finding and accessing public local, state and federal government databases, try:

<http://www.thomas.gov/>.

### **Insurance companies**

One of the first things that you must do in any claim involving an insurance company is to contact that company. It's not always easy to find the number for the office that handles new claims. Again, the Internet may come to the rescue. There are probably lists

of insurers on the Internet for every state. For information on all insurance carriers licensed in Pennsylvania, go to:

<http://www.insurance.state.pa.us/dsf/gfsearch.html>

There are times when a defendant will not identify his insurance company. For insurance searches that charge only if insurance is found, go to:

[www.meainvestigations.com](http://www.meainvestigations.com)

Meainvestigations is a favorite of many experienced injury lawyers. Or try:

[www.medlegalresearchgroup.com](http://www.medlegalresearchgroup.com)

### **Court websites**

The website for the court in which your litigation is pending is required reading. The court's website may contain essential procedural information that you will need to successfully initiate and pursue a lawsuit. These sites provide rules, forms, court dockets, judgments and much more.

If your case is in state court, just Google the name of the court. In Philadelphia the court's website can be found at:

<http://courts.phila.gov/>

This website has a lot of useful information. For personal injury cases, it is especially valuable for tracking the docket entries of cases. Docket entries provide much of the essential information about cases filed with the court, such as the orders entered by the court, deadlines, hearing dates, etc. It sure beats calling City Hall and dealing with a bureaucrat.

### **How using court websites can work for you**

I know of lawyers who have tapped the Philadelphia court's website to help defeat motions to transfer a case from Philadelphia to a rural county. In one case, the defendant claimed that trial would be improper in Philadelphia since the injury occurred in the rural county. Historically, jury verdicts are much higher in urban settings. The lawyer set about to defeat the motion to transfer. The task was to prove that defending the claim in Philadelphia was not unreasonably inconvenient for this defendant.

He quickly discovered via this website that this defendant had filed 973 lawsuits in Philadelphia in the last eight years. This helped to convince the court to deny the motion to transfer. Since it was not inconvenient for this defendant to file so many suits in Philadelphia, it certainly was not problematic to defend a lawsuit there.

Imagine, without the Internet, having to pore over thousands of files in City Hall trying to discover what my computer revealed in a matter of seconds. Whether you are acting as

your own lawyer or looking for one, you never know what you might find when you surf the crest of an Internet wave. And it's all at your fingertips.

If an appeal is filed in your case, you need to access the website for the appellate court. For links to Pennsylvania's Supreme, Superior and Commonwealth Courts (and multiple county sites), check out:

[www.courts.state.pa.us](http://www.courts.state.pa.us)

If you have a case in federal court, the following site will link you to any federal court in the U.S.:

<http://www.uscourts.gov/courtlinks/>

### **Statutes of limitations**

Statutes of limitations for injury cases for all 50 states are available at:

[www.nolo.com](http://www.nolo.com)

There is an error in one of Nolo's listings, so you might want to cross-check this with my own statute of limitations page:

[www.legalaidman.com/statutes.aspx](http://www.legalaidman.com/statutes.aspx)

There are several reasons that you should file suit at least 60 days, and preferably more, before the running of the statute of limitations. If you wait until the last minute, you may find out later that the defendant has died. When a defendant is deceased, it is necessary to sue the personal representative of the estate, not the dead person. This is potentially fatal to the claim. If a defendant has died, and no personal representative of the state has been appointed, you may need to file papers with the court raising an estate for the deceased defendant.

### **Death notices**

A death notice may be a vital element for your case. Some sites for death notices include:

<http://legacy.com/Obituaries.asp>

<http://www.obituaryregistry.com/>

[http://obits.eons.com/local/all\\_states](http://obits.eons.com/local/all_states)

<http://oa.newsbank.com/>

<http://ssdi.rootsweb.com/>

## **Weather conditions**

Weather conditions are important in many situations. Personal injury lawyers obtain weather reports in every slip and fall case. Since you will have to prove that the ice you slipped on was present long enough for the defendant to have cleared it, the weather report for the date and location of your injury is crucial. If the weather is relevant to a car crash or any other injury-producing event, you should get a weather report, available from:

[www.wunderground.com](http://www.wunderground.com)  
[www.ncdc.noaa.gov](http://www.ncdc.noaa.gov)  
[www.weather-consultants.com](http://www.weather-consultants.com)

There are six regional U.S. climate centers:

Midwest: <http://mcc.sws.uiuc.edu/>  
West: <http://www.wrcc.dri.edu/>  
High Plains: <http://hpccsun.unl.edu/>  
Northeast: <http://met-www.cit.cornell.edu/>  
South: <http://www.srcc.lsu.edu/>  
Southeast: <http://www.dnr.state.sc.us/climate/sercc/>

Beyond the Internet, check your local library for an excellent book called "The Weather Almanac." It has climatological data for 100 cities across the U.S.

For links to the weather services of over 60 countries:

<http://www.worldweather.org>  
<http://www.worldclimate.com>

To get information on sunrise/sunset, moonrise/moonset, moon phase, moon illumination, eclipses in the future or past:

<http://aa.usno.navy.mil/AA/data/>

For wind speed and direction for 237 U.S. cities, go to:

<http://www.wcc.nrcs.usda.gov/climate/windrose.htm>

## **Maps and satellite imagery**

Google is a great source for satellite imagery. This comes in handy in many legal cases. For example, there are times when photographs taken from the ground do not give the full flavor of an intersection. If the intersection is more than the usual four-point crossing, take a look at the aerial view. You can zoom in for a close up and print the view that best helps you prove whatever point you need to make. Go to:

<http://maps.google.com/>

This site is also helpful when you want to show the route a driver took just before a crash. I recently had a case where the defendant claimed that he had taken a certain route to the crash scene. Satellite imagery, however, showed that his story was far from factual. He claimed to be at point A, took one turn, and then arrived at point B. The satellite showed vividly that points A and B were far from each other. Although you could do the same with a conventional map, the satellite imagery is particularly illustrative.

### **Medical records**

To research a physician's record, take a look at:

[www.HealthGrades.com](http://www.HealthGrades.com)

This site enables you to research over 600,000 physicians nationwide. You can access disciplinary actions, board certification, phone numbers and addresses, education and training, and patient surveys.

Or try:

<http://www.choicetrust.com>

You can conduct an instant national search for doctors, dentists, chiropractors and nurses across several specialty areas. You can check their credentials, including general contact information, education and license details. This site states that nearly 100,000 sanctions and disciplinary actions exist for health care providers throughout the country. When pursuing a medical malpractice lawsuit, make sure you and/or your attorney research the doctor's license, education and credentials.

For medical dictionary/encyclopedia sites:

[www.medterms.com](http://www.medterms.com)  
<http://medlineplus.gov/>

You can do medical research at:

<http://emedicine.com/>  
<http://mayoclinic.com/>

Often a medical report will contain medical abbreviations that are difficult to decipher. For a medical abbreviations dictionary:

<http://www.medilexicon.com/>

For serious injury cases, it is critical to use anatomical drawings, animations and/or models. These tools help to simplify the medical science. They also make the evidence of

injury more interesting for the jury. Juries only return large verdicts when they are properly motivated. You can't motivate unless you first have the jury's attention. For a good source of these types of tools, see:

[www.doereport.com](http://www.doereport.com)

### **Other useful resources**

To decipher the coded entries on an auto collision report, see:

[www.actar.org/](http://www.actar.org/)

To order police reports, you can try:

[www.usaccident.com](http://www.usaccident.com)

In many cases with disputed liability, the side with the most persuasive accident reconstruction expert is at a great advantage. You'll find a great library of articles concerning accident reconstruction at:

[www.tarorigin.com](http://www.tarorigin.com)

In Chapter 10 of this book there is a detailed discussion of discovery depositions. If you need more, Knowles Law Book Publishing, Inc., sells a DVD called: Preparing the Witness for a Deposition. You can order this DVD at:

[www.knowlespublishing.com](http://www.knowlespublishing.com)

You can enter default judgment against a defendant who does not respond when you file suit. But first, you may need to check to be sure that defendant is not in the military. You can easily check military status at (make sure you have the "s" after "http" as this is a secure site):

<https://www.dmdc.osd.mil/scra/owa/scra.home>

The Consumer Product Safety Commission site includes information about product recalls:

[www.cpsc.gov](http://www.cpsc.gov)

### **Trial lawyers' websites**

Trial lawyers' sites are another great resource. Check for local and statewide lawyers' groups' sites. The favorite of Pennsylvania trial lawyers is:

[www.patla.org](http://www.patla.org)

This site, run by the Pennsylvania Trial Lawyers Association, offers a wealth of information, including current data on tort reform. Only PaTLA members can access certain areas, such as sample legal briefs filed in real cases by Pennsylvania lawyers. Why reinvent the wheel? If you can access this site, you can copy the document to your computer and use it as a template for your own case. Ask your lawyer if he or she uses sites like these. The legal briefs may help him prepare important documents on your case.

The American Trial Lawyers Association has a similar website that can be found at:

<http://www.atla.org>

A site for law and legal weblogs (blogs) is:

<http://www.blawg.com/>

For daily legal news in the State of Pennsylvania, try:

[www.law.com/pa](http://www.law.com/pa)

It goes well with a piping hot cup of coffee. But don't spill it in your lap while driving.

### **Exposing lies with the Internet**

One lawyer filed a lawsuit against another lawyer when the latter refused to pay the former a referral fee for a personal injury case. When the case settled, the latter conveniently forgot about the former's fee.

The suit was brought in Philadelphia in order to gain the "home field advantage." The defendant practices in New York and New Jersey. He filed objections to the lawsuit, claiming that he did no work in Pennsylvania, had no connection to Pennsylvania and that, therefore, the Pennsylvania courts had no jurisdiction over him. "Jurisdiction" is defined as the power, right or authority to interpret and apply the law. He sought transfer of the case to New York or New Jersey.

The plaintiff decided to "google" him, just to be sure. For search terms she tried his name and his law firm's name, but found nothing helpful. Finally, proving the importance of using variations of names when conducting Google and other searches, she added his middle name and struck pay dirt. It turns out that this lawyer was licensed to practice law in Pennsylvania in 1998. She learned this from his advertisement on:

[www.lawyers.com](http://www.lawyers.com)

He held himself out on that website as a "specialist in personal injury in NY, NJ and PA."

Also, the Disciplinary Board of the Pennsylvania Supreme Court had transferred him to “inactive status.” She found this information on:

[www.Pabulletin.com](http://www.Pabulletin.com)

Since jurisdiction in Pennsylvania is proper over any person who engages in any business or profession in this Commonwealth, the Court ruled it had jurisdiction over him. The case stayed in the plaintiff’s home state.

### **More Internet tips**

Everyone knows that you can search the Internet with Google or any other search engine. But now you can find that missing data on your own computer simply by doing a Google Desktop search. Once you download Google Desktop, which is quite easy, you simply do a Google search in the usual way. At the top of the search results you will see where on your own hard drive the information can be found. If it doesn't appear, try clicking on "desktop," and those results should appear.

If you need the phone number of a person you are scheduled to meet later in the day, you can Google her name. Within moments you may find the files on your hard drive with her phone number. Amazing stuff.

If you've ever had the frustration of searching through your computer's files, only to fail to find a piece of important information, try Google Desktop.

<http://desktop.google.com>

Google tips: Try double clicking your control button. This should cause a Google search box to pop up on your screen. And don't forget Google Earth and Google Maps. They are not only useful tools, they're a lot of fun.

Let me know of sites you have found helpful. I just may include them in the next edition of this book. You can email me at [LegalAidman@verizon.net](mailto:LegalAidman@verizon.net).

### **Lawyer referral services on the Internet**

Lawyer referral services abound on the Internet. There are three major types: 1) bar association sites, 2) marketing agency advertisements and 3) lawyer-to-lawyer services.

The bar association sites provide lists of attorneys in various areas of law. Some sites require that the listed lawyers be professionally certified. Many do not. There is little financial incentive for these sites to make the best possible referrals, so this is not the ideal way to search online for an attorney.

Referral sites run by ad agencies also provide listings. These listings are solicited from lawyers looking for business. The agency's financial incentive is to sell ads, not to make the optimal referral. There is almost no quality control here. When you pick almost blindly from listings of lawyers, you don't know what you are getting--not a good way to find the right lawyer for your case.

Fortunately, the third type of site is not subject to these problems. Lawyer-to-lawyer sites are monitored by a lawyer. Lawyer-monitored referral services offer free nationwide referrals that can help you find the attorney in your area best suited to you and your case.

Lawyer-to-lawyer sites are an option worth exploring. The lawyer who runs the site should have experience in handling personal injury cases. This experience will guide him or her in matching lawyers and clients and in monitoring the progress of the case. The lawyer should have an ever-broadening national network of trial lawyers to whom referrals are made. He or she should, wherever possible, personally handle all calls, faxes and emails regarding possible referrals. He should personally contact the attorneys in the referral network to ensure the best possible match. He should personally contact the client, almost always within 24 hours, with recommendations. He should then follow up to make sure the client is happy. Finally, he should personally monitor all referrals over the course of the litigation to make sure it is proceeding smoothly.

The referring lawyer has a financial incentive to make the best possible referral. A real life story illustrates this idea.

An eight-year-old girl from Roanoke, VA, suffered a serious eye injury resulting from the carelessness of an employee of a grass-cutting service. The employee was cutting near a highway when he drove the mower over a pile of broken concrete. A large piece flew into the window of the car where the girl was a passenger, shattering it, and smashing into the girl's eye.

The girl's father sent an email about this incident to a lawyer-to-lawyer site. The Pennsylvania lawyer who runs the site keeps an index of referral attorneys in all 50 states, but wasn't satisfied that he knew the right Roanoke lawyer to refer this case to. He posted an email on his Internet listserv looking for a Roanoke personal injury attorney. Within two hours, he received three recommendations from Pennsylvania personal injury lawyers. Each recommendation was based on personal, positive experience.

He interviewed all three and concluded that one of the lawyers seemed particularly suited to the case. But there was a problem. All three of the lawyers agreed to pay a referral fee. This is perfectly customary in Virginia and Pennsylvania. The problem was that the first two offered a third of their fee for the referral. The lawyer he preferred only offered 25 per cent.

Suddenly the referring lawyer found himself with a serious conflict of interest. He resolved the conflict in his client's favor, as he is required to do. His duty to his client

required that he put his own financial interest aside and recommend the best possible lawyer.

Happily, he made a successful referral. So far, all parties are happy. The referring lawyer has both a responsibility to continue to monitor the progress of the case as well as a financial incentive. That's why lawyer-monitored referral services can work.

There are many websites that offer to help you find legal representation. See, for example,

<http://www.attorneylocate.com/>

<http://www.megalaw.com/>

<http://findlaw.com/>

Findlaw has message boards where you can discuss various topics of legal interest.

My website offers lawyer referral services. To get my help in finding a lawyer in your area, go to my website:

[http://legalaidman.com/lawyer\\_referral.aspx](http://legalaidman.com/lawyer_referral.aspx)

Or just call me at 610 642 7676 or fax me at 610 642 7707. You can also email me any time at [LegalAidman@verizon.net](mailto:LegalAidman@verizon.net).

You certainly should use the Internet to research any lawyer you are considering. Start with the firm's website. The bar association in your area may have a website you can search for the disciplinary record of any lawyer you are considering. Google is a great tool for researching lawyers and law firms.

If you have the lawyer's exact name, you can limit your search by enclosing your search terms in quotation marks. As I write this, "googling" "Evan K. Aidman" produces 570 hits. When I "google" "Evan Aidman," I get 2,140 search results. If you try the search yourself, you may get different numbers. Google search results vary, day by day, as the amount of information on the Internet increases.

Using Google, you will find links to my website, my book, and a legal brief I prepared for the Pennsylvania Trial Lawyers' Association website. You can even read about my lawsuit against a California lawyer who copied all of the information off of my website (except my name, of course) and posted it on his own website. Chutzpah! I won that lawsuit, so you won't find the stolen site on the Web.

Obviously, the Internet is a great benefit to lawyers and plaintiffs. Remember, however, that just because something is online it isn't necessarily accurate. Always check your sources.

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