



reducing the risk of SIDS

RATE IS DECLINING, BUT THERE IS A LONG WAY TO GO

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While public education and awareness efforts during the past 20 years have helped reduce the rate of

deaths due to Sudden Infant Death Syndrome (SIDS) by 50%, there is still much that can be done to prevent SIDS.

SIDS, which is defined as the sudden death of an infant less than one year of age that cannot be explained after a thorough investigation, is the leading cause of death among infants aged 1-12 months, according to the Centers for Disease Control and Prevention; and the third leading cause overall of infant mortality in the U.S.

As part of its "Back to Sleep" campaign, The National Institute of Child Health and Human Development has developed the following list of tips and information aimed at helping parents and caregivers reduce the risk of SIDS:

- **Always place babies on their backs to sleep** — Research shows that babies who sleep on their backs are less likely to die of SIDS than babies who sleep on their stomachs or sides. Placing your baby on his or

her back to sleep is the number one way to reduce the risk of SIDS.

- **Use the back sleep position every time** — Babies who usually sleep on their backs but who are then placed on their stomachs, like for a nap, are at very high risk for SIDS. So it is important for babies to sleep on their backs every time – for naps and at night.
- **Place your baby on a firm sleep surface, such as a safety-approved crib mattress covered with a fitted sheet.**
- **Keep soft objects, toys, and loose bedding out of your baby's sleep area** — Don't use pillows, blankets, quilts, sheepskins, or pillow-like bumpers in your baby's sleep area. Keep all items away from the baby's face.
- **Avoid letting your baby overheat during sleep** — Dress your baby in light sleep clothing and keep the room at a temperature that is comfortable for an adult.

Our firm encourages everyone to follow these guidelines to provide the safest possible sleeping environment for infants. ■

don't lie

ON YOUR INSURANCE APPLICATIONS

Our firm has battled the insurance companies for many years, and we've seen firsthand the tricks they use to delay and deny claims. That being said, though, if you lie on an application for auto, life, health, or disability insurance, you open the door for them to legitimately deny you coverage just when you need it the most.

A good example of this is a case last year in which the Supreme Court of Virginia upheld the denial of benefits to be paid to a seriously injured automobile accident victim because the owner of the car in which the victim was injured had failed to disclose all of the potential drivers who were living at the household and might have access to the car.

The court ruled that there were several places on the application where this question was asked and each time the policyholder failed to disclose that a 21-year-old relative was living in the house.

That 21-year-old relative was the driver of the car in a single-car accident in which a passenger was seriously injured, costing hundreds of thousands of dollars in medical bills. When her claim was made to the insurance company, there was an investigation and the insurance company ultimately denied coverage because it said that had it known of the young driver, it likely would have sold the policy, but at a substantially higher price. The Supreme Court ruled that this was a material misstatement of fact which nullified the policy.

The lesson: Be completely honest on your insurance applications. ■

MAYBE LAUGHTER REALLY IS THE best medicine

NEW STUDY: JOYOUS LAUGHTER AKIN TO MODERATE PHYSICAL EXERCISE



We've all heard the phrase "laughter is the best medicine" at one time or another. Now, researchers at Loma Linda University's Schools of Allied Health and Medicine are proving that there's a whole lot of truth to that adage.

Though the notion that laughter can have health benefits is not a new one — Norman Cousins first suggested it during

the 1970s — recent studies are indicating more and more positive effects of laughter. According to the latest research, repetitious joyous laughter actually causes the body to respond as much as it would to moderate physical exercise.

Laughter has now been shown to enhance a person's mood, decrease the amount of stress hormones, enhance the body's immune activity, lower bad cholesterol and systolic blood pressure, and raise the level of HDL cholesterol (the good cholesterol). Researchers point out that laughter may even be able to play a role in the treatment of elderly patients suffering from a lack of appetite.

So, next time you find yourself scuffling a little bit or feeling down, try some laughter... your body will thank you for it. ■



CIVIL JUSTICE SYSTEM SPURS auto safety advances

With the world's biggest automaker, Toyota, still struggling with sudden acceleration problems in some of its vehicles, an important new report has been released that shows the key role the civil justice system has played in encouraging auto safety during the last 50 years.

The report, entitled "Driven to Safety: How Litigation has Spurred Auto Safety Innovations," was released by the American Association for Justice this past April and illustrates how design defect litigation has helped to reveal defects in cars and trucks, expose weaknesses in regulations, enforce safety standards, and deter auto manufacturers from skimping on safety in an effort to boost profits.

One of the examples cited in the report was how litigation led to the improvements in the safety of power window controls on cars. American auto manufacturers had been well aware of some of the potential problems with their "rocker" style switches, which if leaned onto could inadvertently lead to a window closing and trapping a child. Tragically, in 2004, during a span of just three months, seven children died from accidents involving power window controls.

And even though auto manufacturers started to offer safer "pull-up" style switches on vehicles sold in foreign markets, it wasn't until they were faced with litigation that they began to install the safer switches on domestic vehicles, since the National Highway Traffic Safety Administration did not have any rules in place regarding power window safety.

Other safety improvements mentioned in the report that arose from design defect litigation include:

- Important life-saving modifications and repairs to vehicle gas tanks
- Seat belts
- Side-impact design
- Roof strength
- Tires
- Electronic stability control
- Door latches
- Air bags
- Power windows and seats

The full report on auto safety improvements spurred by litigation can be viewed at [www. Justice.org/autosafety](http://www.Justice.org/autosafety). ■

June Important Dates

June 21 - First Day of Summer

June 20 - Father's Day

June 14 - Flag Day

FAQ



Do most medical malpractice cases result in a verdict in favor of the patient?

No. Medical malpractice cases are difficult to prove because it has to be shown that the doctor or provider was negligent and that their actions violated the standard of care and caused damages. ■

SIDS



REDUCE THE RISK
SEE PAGE ONE.

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

hidden danger POOL AND SPA ENTRAPMENT FROM DRAINS

With summertime upon us, many of us will seek out pools and spas for recreation and relaxation, but it's important to know that drains in pools and spas can cause injuries and even death if people become entrapped against them.

Follow these tips from the Consumer Product Safety Commission to reduce your risk:

- Do not use a pool or spa with a missing or broken drain cover. Newer, safer drain covers are available and are usually dome-shaped -- instead of the old flat drain covers.
- Consider installing a Safety Vacuum Release System (SVRS), a device that will automatically shut off a pump if a blockage is detected.

- Have a professional regularly inspect your pool or spa for entrapment or entanglement hazards.
- Plainly mark the location of the electrical cut-off switch for the pool or spa pump.
- If someone is entrapped against a drain, shut off the pump immediately. Instead of trying to pull the person away from the powerful suction, pry a hand between the drain and the person's body to break the seal.

For more pool and spa safety information, please visit www.CPSC.gov. ■