

POLOW, POLOW & MAHONEY - ATTORNEYS AT LAW

THE LAW AND YOU - VOLUME 11, ISSUE #28

****Personal Injury**Auto Accidents**Real Estate**Other Legal Services****

IN BRIEF

• In 1896, there were only four automobiles registered in all the United States. Two of them ran into each other in St. Louis.

• The world’s most solitary tree is located at an oasis in the Tenere Desert in Central Africa. There is no other standing tree within 31 miles. In 1960, a Frenchman accidentally rammed into it with his truck.

• Walking up and down stairs is not easily considered tricky. Yet every year, thousands of Americans are injured falling on stairs, often from defects in the stairs that they never noticed.

• In this crowded, hectic and corner cutting world, no matter how careful you are, the odds are still great that you will be injured in some accident caused by another person’s carelessness.

IDENTITY THEFT - A NEW SCAM

Most of us have heard about a new con game that thieves are using to assume others’ credit identities and improperly run up spending in a victim’s name.

Here’s how it works. The victim first receives an official-looking letter supposedly from his or her bank. Senior citizens are particularly vulnerable to this authentic-appearing communication. With today’s sophisticated computer and printer technology, lawbreakers can easily create them.

This letter includes Internal Revenue Service forms that recipients are asked to fill in and mail or fax back to the financial institution so it will not have to withhold federal tax on interest that the customer might earn on savings or other accounts. The form is a fraudulent version of real ones - W-8BEN or others. The form asks victims for personal data, such as passport numbers, mother’s maiden names and bank account numbers.

When wrongdoers obtain this information, they duplicate victim’s financial identities, spend and steal a great deal of money in their name, and reek havoc on their credit histories. Banking and IRS officials are asking victims to report these incidents.

ATTORNEY-CLIENT PRIVILEGE

Q: What does attorney-client privilege mean?
A: With the client’s permission, an attorney may not disclose confidential information that a client has communicated to him or her.

Q: Is every communication covered by privilege?
A: No. Attorney-client privilege protects only that spoken or written information conveyed to an attorney hired by the client, and which is communicated when the client is seeking the attorney’s legal counsel on a matter. Counsel unrelated to a legal matter is not privileged.

Q: What about cell phones or e-mail communication:
A: Care must be taken their use, since third parties may eavesdrop even on supposedly secure communications.

Q: Who “owns” the privilege?
A: Only the client, who breaks it by inadvertently communicating the information to a third party.

Q: Must an attorney’s employees honor the privilege?
A: Yes. Other members of the firm, attorneys, legal assistants, paralegals and clerical staff honor the attorney-client privilege.

Q: How long does the privilege exist?
A: Only a client’s authorization or a court’s ruling can break it.

POLOW, POLOW & MAHONEY

Attorneys At Law

Grant House

111 Main Street

P.O. Box 130

Hyde Park, VT 05655

(802) 888-7707

Fax (802) 888-7212

1-800-300-1717

E-mail:

dpolowlaw@polowlaw.com

jmahoney@polowlaw.com

Website:

www.polowlaw.com

In Case of Injury

When you, your friends, family members or fellow workers become injured, they may need an attorney. Please have them call us. We will be happy to help with a free consultation.

The Law and You

The Law and You is published as a service to our clients. Articles contained in *The Law and You* should be viewed as summaries of the law and not as substitutes for legal counsel. You should not act on any of the information contained in this newsletter without further, specific legal consultation.

We welcome your comments.

CHECKLIST IF YOU ARE IN AN AUTOMOBILE COLLISION

- If your car is involved in an accident, remain at the scene.
- Protect the scene of the accident to avoid additional collisions.
- Call the police.
- Exchange information with the driver of the other vehicle. You should get the following information:
 - Other driver's name, address, telephone number, driver's license number, name of insurance company and policy number.
 - Passenger's name, address and telephone number.
 - Witness' name, address and telephone number.
 - Owner's (if not the driver) name, address, telephone number, insurance company and policy number.
- Make notes about the time of day, weather conditions, road conditions, street lights (if any) and length of skid marks.
- Do not admit responsibility.
- File an accident report.
- Notify your insurance agent.



POLOW, POLOW & MAHONEY

Attorneys At Law

111 Main Street, Grant Building

P.O. Box 130

Hyde Park, VT 05655-0130

