

Kansas Law



Personal Injury and No Fault Insurance

Most Asked Questions & Answers



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Over half a century of serving injured persons statewide.

INTRODUCTION

The purpose of this booklet is to answer questions that many people have about personal injury claims and no-fault insurance benefits. We wrote this booklet to help people be better informed about their rights when they have been injured. We have found that many people do not know as much as they would like to know about their basic rights when they have been hurt. We hope this booklet helps by providing answers to common questions that arise following an accident.

This first part of the booklet deals with Personal Injury cases. The second section covers "No-Fault" insurance, a type of coverage that is unique to all car and some motorcycle insurance policies.* "No-fault" insurance benefits are frequently also called Personal Injury Protection benefits. These are benefits available to you because you own an insured automobile. If you use either term, PIP or no-fault, your insurance agent, claims adjuster and lawyer will know what you are talking about.

Laws concerning no-fault or PIP benefits were passed in the mid-1970's in Kansas. These laws were passed to make it easier for people to get the benefits they needed when injured in automobile accidents. The idea behind this law was that you go straight to your own insurance company for payment of medical bills and loss of earnings without regard to whose fault the accident was, hence the name "no-fault."

It is hoped that this pamphlet provides some of the answers you are looking for. It should only be used as a guide to *general* situations. The law is always changing. For specific problems, you need to seek and obtain qualified advice.

* In Kansas, PIP coverage is not mandatory on motorcycle policies like it is with car policies.

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This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. If legal advice or other expert assistance is required, the service of a competent professional should be sought.

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McCULLOUGH, WAREHEIM & LaBUNKER, P.A.
PERSONAL INJURY
ATTORNEY BIOGRAPHIES

JEB BENFER

Jeb was born in Topeka, Kansas, February 7, 1954, and admitted to the bar in 1982. He is licensed to practice in Kansas, Missouri, and the U.S. District Court for the District of Kansas; the U.S. District Court for the District of Missouri; 10th Circuit Court of Appeals and the United States Supreme Court. He is a member of the Topeka and Kansas Bar Associations as well as the Kansas Association for Justice. Jeb's areas of practice cover all aspects of personal injury law, including, car accidents, injuries caused by defective products, slip and fall injuries, construction site accidents and wrongful death claims. He also handles selected family law matters.

MITCHELL DEAN WULFEKOETTER

Mitch was born in Belleville, Kansas, November 14, 1961, and admitted to the bar in 1987. He is licensed to practice before Kansas and the U.S. District Court for the District of Kansas. Mitch is a member of Topeka, Kansas, and American Bar Associations. Mitch's area of practice includes State Workers' Compensation, Social Security benefits and Personal Injury.

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QUESTIONS & ANSWERS ABOUT PERSONAL INJURY CASES

Injuries from accidents occur in many different settings. Sometimes the injuries arise from an automobile or motorcycle accident, other times they may occur as the result of a dangerous condition on another person's property or perhaps from the use of a product which malfunctions or is improperly designed. In the worst of circumstances, injuries can result in the wrongful death of a person leaving behind surviving family members to deal with the emotional and financial losses caused by the wrongful death.

Q. I have been in a car accident, now what?

A. Many personal injury cases arise from the operation and use of motor vehicles. Always call a local law enforcement officer to make sure that the proper accident report is made to document the facts of the accident.

Q. I don't like the idea of calling the police on a minor accident, should I?

A. Although it may not seem important in instances where the accident seems to be relatively minor in nature, many times injuries from low speed impacts do result in significant permanent personal injury and if the local law enforcement agency has not had an opportunity to investigate and prepare a report regarding the accident, then there is no "official" report of the facts. Additionally, police officers frequently take the names of persons who may have observed the accident as witnesses and later, if the cause of the accident is in dispute, this information can be critical in resolving any disputes as to how the accident occurred. Finally, the law requires you report all accidents involving \$500.00 or more in property damage.

Q. Right after the accident I didn't think I was injured, but now I am very sore, what should I do?

A. Get in to see your doctor immediately and advise that at first you thought you weren't hurt, that you were wrong and need be checked out. In any type of accident whether it is a car accident, a slip and fall, or injuries resulting from a defective product, a person rarely has the ability to assess their own injuries. Many times injuries received in an accident do not become apparent for several days or weeks.

Q. If someone asks me if I am hurt and I am not sure, what should I say?

A. If you are asked how you were doing at the scene of an accident by anyone, simply indicate that you don't know. In time, you will be able to tell if you have injuries from the accident and can seek appropriate medical treatment at that time.

Q. Should I contact my insurance company?

A. Yes, in most instances you should immediately contact your insurance company. Kansas, like many states, requires automobile liability insurance policies to provide Personal Injury Protection benefits in any auto liability policy issued in the state of Kansas. We will look at PIP benefits later in this booklet.

Q. Should I give a statement to people that call on the phone or come by the house to asking about how I got hurt?

A. It is also better practice to consult with an attorney before giving any statements about how the accident occurred.

Q. What happens if I'm hurt on somebodies property?

A. Just like with automobiles, property owners carry liability insurance to protect them in the event someone is injured while on their property. These types of accidents are commonly referred to as "slip and fall" cases. Injuries can happen from such things as slippery areas caused by bad weather, open trenching or holes on the property, or inadequate lighting resulting in an area being unsafe because dangerous conditions are hidden in darkness. The owner of the property is required by law to exercise reasonable care for the protection of persons invited upon the property.

Q. Does that mean anytime I am hurt on someone's property they are responsible for my medical bills?

A. No. However, if it can be shown the owner of property failed to use reasonable care in maintaining the property in a reasonably safe condition you can usually recover your medical expenses and other damages.

Q. What damages can you recover if you are hurt on someone's property?

A. An injured person may recover damages for their injuries including medical expenses, loss of earnings from work, pain and suffering and for any permanent disfigurement or disability.

An experienced personal injury attorney can assist you in analyzing the facts of your case, the law that applies to the facts and help you reach an educated decision about whether or not you have a valid claim against the owner of the property. As with car accident claims, it is wise not to give any statements to any insurance adjusters until you have had an opportunity to consult with an attorney of your choice.

Q. What is a “wrongful death” claim?

A. A wrongful death claim is a claim arising out of the death of a family member caused by the negligence of a third party.

Q. What are the damages in a wrongful death claim?

A. With the death of a husband, wife, parent or other family member, there are often other losses beyond the loss of the person. The loss of earnings from a spouse, the loss of the financial support from a parent or other family member can have devastating financial effects on the surviving members of the family.

Q. Is there a limit to damages for the economic harm that can be recovered?

A. There is no limit on the amount of money that can be recovered for economic loss caused to the family as long as the available evidence at trial supports the jury’s decision.

Q. What other damages may a jury award?

A. Juries are also permitted to award damages for the emotional losses suffered by the family following the death of a loved one.

Q. I have heard of a “survival action,” what is that?

A. Occasionally, the injured person initially survives the trauma of the accident, living for days, weeks or even months after the accident before dying. The remaining family members also have a right to bring a claim on behalf of the estate of the person to recover the damages the deceased’s family member suffered before death.

Q. What damages would this include?

This type of claim is referred to as a “survival” action and provides payment to the estate of the deceased for the lost earnings, medical expenses pain, suffering and emotional distress that was experienced from the date of the accident to the date of death.

Q. How do I know if I need an attorney?

A. The more severe the injury the more certain it is that the advice of an experienced personal injury trial attorney is necessary. Successful personal injury trial lawyers routinely analyze complex fact patterns, assess the financial losses suffered by the injured party following an accident and

understand the process of preparing the file to successfully negotiate a settlement or successfully try a case to a jury.

Q. What does it cost to get initial advice from an attorney?

A. Most experienced personal injury attorneys will gladly meet with you and discuss your case at no cost initially.

Q. If I hire an attorney what does that cost?

A. Personal injury cases are usually taken on a contingent fee, meaning if there is no recovery for you, no fee is owed.

Q. What are expenses?

A. Expenses are things like charges for medical, official, and other records; photocopying costs; postage; long distance telephone charges; legal, medical, and other research charges; travel expenses; charges for physicians' reports; consultation and expert witness fees; messenger and special delivery charges; court costs; service of process fees; witness fees; subpoena expenses; deposition charges; exhibit preparation expenses; and mediator fees

Q. Who pays expenses while the case is progressing toward settlement or trial?

A. Generally, your attorney will cover these expenses as part of his contract of employment with you on the claim. At the conclusion of the matter you reimburse the attorney.

Q. I have heard the term comparative fault, what does it mean?

A. The concept of comparative fault is that anytime there is an accident, the causes of the accident can be determined and expressed as a percentage of fault. In Kansas, the concept of comparative fault means that when you look at how an accident happened, you determine how much fault the parties to the accident contributed to its occurrence. The combined total fault of the parties should add up to 100%.

Q. Can you give me an example?

A. Sure, for example, if two cars run into each other head on straddling the center line on the highway both drivers might claim the other driver is at fault. A jury looking at those facts may determine that the drivers are equally at fault and assign the fault at 50% to each driver, the combined fault of both drivers equaling 100%.

Q. Why is this important?

A. In Kansas, the assignment of comparative fault becomes important because you can only collect that percentage of fault assessed to someone other than yourself in the occurrence of an accident.

Q. Can you give me an example of how that works?

A. Certainly, let's say a jury determines you were 20% at fault in an automobile accident and the other driver was 80% at fault. You cannot recover damages from yourself. Since you were 20% at fault, you are only allowed to recover up to 80% of your provable damages.

Q. Are there other comparative issues I should be aware of?

A. Yes, in Kansas your fault must be less than 50% or you recover nothing. Kansas uses a "modified comparative fault" rule which says that if you are 50% or greater at fault your claim is barred by law. Basically stated if the accident is mostly your fault, you lose

Q. Who decides the fault of the parties?

A. A jury or judge is required to consider the facts and determine what percentage of fault the injured party should be assigned measured against the fault of the person(is) causing the accident.

Q. How is all this important in personal injury cases?

A. Because of the judge or jury decides fault, proper development of the case is important to place as much of the fault in the accident on the other parties. An experienced personal injury attorney can be very valuable in proper case development thereby maximizing the fault placed on other parties and increasing the recovery for the injured person and his or her family.

Q. Does comparative fault apply to all personal injury cases?

A. Yes, comparative fault principles apply to all accident cases whether they are an auto accident, a slip and fall case, a defective product case or a wrongful death case.

QUESTIONS AND ANSWERS ON NO-FAULT INSURANCE

Q. What are Personal Injury Protection benefits?

A. Personal Injury Protection benefits, commonly known as PIP benefits, are insurance benefits which must be included in any policy of automobile insurance issued in the State of Kansas. By law, you are required to carry insurance on any car which is registered in the State of Kansas. PIP coverage provides immediate money to pay medical, lost wages, and other benefits without regard to who caused the accident.

Q. Who is covered by PIP benefits?

A. Typically, the benefits cover you and your immediate family. This would cover relatives residing in the same household by any degree of blood, marriage, or adoption.

Q. Do I have to be driving my car to receive PIP benefits?

A. No. You may be able to receive PIP benefits even if you are driving another vehicle. You are also entitled to receive PIP benefits if you are a passenger in your car or someone else's car.

Q. Does this mean that I can have one car insured with PIP benefits and drive another uninsured vehicle which I own and still be covered?

A. No. You must have insurance on all cars that are registered to you in the State of Kansas. If you are driving a car that is not insured, you will not have any PIP benefits available under any policy that may be issued on another vehicle.

Q. What happens if I am driving a friend's car that is uninsured?

A. The insurance on your personal automobile will provide your Personal Injury Protection benefits.

Q. No-fault insurance sounds good. How do I go about claiming my PIP benefits if I am in an accident?

A. Contact your insurance agent or the claims office of your insurance company and ask them to mail you an application for PIP benefits. Once you receive it, fill out your application and return it to the insurance company so they can process your claim.

Q. I have a car and insurance in a state that does not have no-fault laws. I have checked and I do not have PIP benefits. I was involved in an accident in Kansas and received an injury. What do I do?

A. If you are an out-of-state resident and you received an injury by accident in the State of Kansas, you are still entitled to minimum PIP benefits as provided by Kansas law. You need to contact your insurance agency and tell them that you want to make application for PIP benefits.

Q. I just bought a new car, and with my luck, I had an accident two days after I purchased it. Unfortunately, it was before I could contact my insurance agent to get insurance on the car. Now what?

A. If you already have insurance in place on your old car, by law, you have up to 30 days to add your new car to your policy. You should check with your agent upon purchasing a new car; some policies do limit the time period to add a new vehicle. Once your insurance on the new car is effective, you will also have PIP benefits in effect.

Q. Is “PIP” mandatory on motorcycles?

A. No. The statutes define an automobile very specifically. PIP coverage is mandatory on passenger cars and trucks. Policies on motorcycles and other specialty type vehicles are not required to provide PIP coverage. Many companies will write PIP benefits for motorcycles or other specialty vehicles; however, there is always an additional charge. To insure that you have benefits, you must contact your agent at the time you purchase a motorcycle or other specialty vehicle and make sure that your company adds “PIP” coverage to the insurance policy which you take out on the motorcycle or specialty vehicle.

Q. I had a friend tell me about increased or deluxe benefits. What are those?

A. The minimum PIP benefits are defined by statute. Most insurers provide only this minimum level of coverage unless you specifically ask for increased benefits. To obtain these, you need to specifically request the company quote you a premium for deluxe or increased benefits.

Q. What kind of benefits are available under PIP if I am injured in an accident?

A. The benefits are set by contract between you and your insurance company. However, the laws in the State of Kansas provide minimum benefits which are as follows:

1. Disability benefits;
2. Funeral benefits;

3. Medical benefits;
4. Rehabilitation benefits;
5. Substitution benefits; and
6. Survivor benefits.

Q. What are disability benefits?

- A. Disability benefits represent part of your monthly earnings. Disability benefits may be available even if you were unemployed at the time of the accident. You must be unable to work due to the injuries received. If you were unemployed at the time of the accident, your benefits can be calculated on past income and present ability.

If you were employed at the time of the accident, the law allows you to collect up to 85% of your monthly income up to a maximum amount of \$900.00 per month in disability benefits. These benefits normally do not run for more than one year. Of course, you may purchase increased or deluxe benefits as noted above, which can dramatically increase your monthly disability benefits figure.

Q. What are funeral benefits?

- A. This is an allowance for the funeral, burial, or cremation, not to exceed \$2,000.00.

Q. What are medical benefits?

- A. By law, your insurance company must provide at least \$4,500.00 in medical coverage. This covers reasonable medical expenses rendered by practitioners licensed by the Board of Healing Arts. These include surgical benefits, x-rays, dental, as well as prosthetic devices, ambulance charges, hospital charges and specialized nursing care. These benefits are to name a few and are not representative of the types of benefits covered, but are certainly not the only ones covered.

Q. Are doctors of chiropractic care covered under the medical benefits?

- A. Yes. Since they are licensed by the Board of Healing Arts, reasonable chiropractic care would be covered under the medical benefits portion of your policy.

Q. What are rehabilitation benefits?

- A. Rehabilitation benefits are allowances up to \$4,500.00 for psychiatric services, occupational therapy, or occupational training necessary to enable you to obtain suitable employment. This would include any retraining that you might have to have to return to employment or gain new employment.

Q. Are you saying that my insurance company might pay for me to learn a new trade?

A. Yes. In some cases, your insurance company under the policy is obligated to retrain you to gain employment if your injuries prevent you from returning to your old job.

Q. What are substitution benefits?

A. Substitution benefits are the reasonable expenses incurred in obtaining ordinary and necessary services that you would have been performing, but for the injuries. There is a maximum of \$25.00 per day for no longer than 365 days if such expenses incur. This would include any maid or cooking services, as well as other types of services that you might perform around the house that you are unable to do because of the injuries.

Q. What if my spouse performs those services for me now, but he/she didn't use to? Do I still get benefits?

A. The answer is not clear on spouses performing services. However, in many cases, spouses can be reimbursed for the services they have to perform because of your injuries.

Q. What are survivor benefits?

A. Survivor benefits are a total allowance to all survivors for the death of a covered person. Survivor benefits shall be up to a maximum of not less than \$900.00 per month. Survivor benefits enter into a fairly complex area of the law that is best reviewed by an attorney. Survivor benefits can be set off by other things, such as Social Security, reduced expenses because of death, and other benefits that a person may receive at the time of death. If you think you have a survivor benefit claim, it is very important to obtain the advice of an attorney to make sure you are not giving up other benefits, which you might also be able to claim in addition to survivor benefits.

Q. If I am driving a friend's car and I have higher PIP benefits, which company pays?

A. The insurer of the motor vehicle which you are driving provides the "primary" coverage and your coverage would be "secondary" coverage on the accident. In any event, you get the amount of the highest benefits.

Q. In the above example, if I had higher benefits, does that mean I would be limited to my friend's benefits?

A. No. While you cannot add the benefits, you are entitled to the maximum benefits available under either policy. In the above example, your friend's policy

would provide the basic level of benefits and the deluxe benefits available under your policy would pay you the difference between the basic benefit level and the deluxe level.

Q. I was on foot when I was struck by another vehicle. Am I still entitled to benefits?

A. Yes. You are still covered by PIP benefits, so long as you had insurance on your car at the time of the accident and your injuries were caused by an automobile.

Q. My son goes to college nine months a year, but he lives at home in the summer. Is he still covered by my benefit?

A. Yes. Since your son is a blood relative residing in the home, even though temporarily absent, he is still covered by your benefits.

Q. I was driving in the course of work when I had an automobile accident. My employer says I have workers' compensation benefits. Does that make a difference?

A. Yes, workers' compensation benefits are always primary.

Q. If I was working when I got injured, should I not even worry about PIP benefits?

A. You should still notify your insurance agent or claims adjuster that you are injured. It doesn't cost you anything to make a claim under your PIP policy. In some cases you may qualify for both benefits. This area of the law is new and complex. You should contact an attorney familiar in these matters to see if you qualify for both benefits.

Q. Is it hard to get these PIP benefits?

A. No. PIP benefits are simple to obtain in most instances. You obtain the application for PIP benefits from your insurer, complete it, and mail it back in. Technically, on proper notice, your company is supposed to immediately begin payments of PIP benefits. In some cases, it may be necessary to hire an attorney to collect PIP benefits.

Q. How long will it take to get these PIP benefits?

A. Personal injury benefits are payable by law and shall be overdue if not paid within thirty (30) days after an insurance company is furnished with **written notice** of the loss. Disability benefits shall be paid at least every two (2) weeks after the notice. Overdue payments bear simple interest at the rate of 18% per year.

Q. What if my insurance company doesn't pay on time?

A. The law allows the insurance company to make reasonable denials of benefits. If they are correct, the benefits are not overdue since they didn't have to be paid. If they are incorrect, it is altogether possible that you might be able to collect the interest as well as the benefits.

Q. Can I hire a lawyer or will I be penalized?

A. Many people hire lawyers to help them with PIP benefits since they can be complex to understand. There are no penalties for hiring a lawyer.

Q. Is it worth a lawyer's time if we are only a few dollars apart?

A. If your company is voluntarily paying you the maximum stated benefits under your policy, it is probably not worth your effort to retain an attorney. On the other hand, if you are uncertain whether or not your company is making proper payment to you under the policy, most reputable lawyers will not charge you anything to advise you whether or not there appear to be any additional benefits to which you are entitled. Secondly, if your insurance company refuses to pay you these additional benefits to which you may be entitled, your attorney may be entitled to attorney's fees against the company if it is necessary to file suit against the company to secure payment.

Q. These PIP benefits sound great, but what happens if they are not enough to cover my losses? Does that mean I can't sue?

A. No. You still retain your rights to sue for the injuries you received out of the accident. However, because no-fault insurance is a compromise, there are certain restrictions on suing. The laws of the State of Kansas provide the following prerequisites before you can recover damages for pain and suffering, mental anguish, inconvenience, or other non-pecuniary losses because of the injuries. These threshold limits are:

1. Medical services having a reasonable value of \$2,000.00 or more; or
2. An injury consisting, in whole or in part, of permanent disfigurement; or
3. A fracture to a weight-bearing bone; or
4. A compound, comminuted or displaced, or compression fracture; or
5. Loss of a body member; or
6. Permanent injury within a reasonable medical probability, or
7. Permanent loss of a bodily function, or death.

Q. I receive free medical benefits. Does that mean I can never sue?

A. No. The medical threshold is based on the value of the medical treatments, not on the amount that you actually paid. This could even include the value of benefits provided by a family member that would normally be performed by a nurse or other professional.

Q. How long do I have to make a claim for my PIP benefits?

A. In Kansas, the statute of limitations on a written contract is five (5) years. However, if you also have a negligence claim arising out of a two-vehicle accident, you must bring any negligence action against the other driver who you feel is at fault within two (2) years of the date of the accident.

Q. If I want to sue the person who caused the injuries, how long do I have to file that lawsuit?

Q. State law requires any action for injuries from a car accident be filed within 2 years of the date of accident. If you have received PIP benefits, by statute, if you have not filed suit within 18 months, your insurance company has the right to file suit to protect its interests for the PIP benefit payments it has made on the claim and also to proceed on your behalf.

Q. What does it mean if the insurance company brings it on my behalf?

A. Your PIP insurance company has a right to be repaid. If you don't file suit within 18 months to protect your rights and the rights of the insurance company, they may file suit to recover what they have paid. If the insurance company files suit against the negligent third party who caused the accident, they are also obligated to contact you and make sure that your rights are protected as well.

Q. Are benefits anything like uninsured motorist coverage or underinsured motorist coverage?

A. No. Uninsured motorist coverage is coverage that you have in addition to PIP. It covers you for injuries you receive from another vehicle that does not have insurance. Uninsured motorist coverage is a complex area of the law. You should consult with an attorney if you have been involved in an accident and the other party does not have insurance, or you believe that they do not have insurance. Underinsured motorist coverage is an offshoot of uninsured motorist coverage. Underinsured motorist coverage applies when the person who caused the accident's coverage is less than your coverage. If that is the case, you may have additional rights against your insurance company that need to be evaluated. Again, this is also a very complex area of the law, and you should seek the advice of an attorney qualified in these types of cases.

Q. Is this all I need to know about PIP benefits?

A. Probably not. This booklet was designed to provide you with a general understanding of PIP benefits. In some cases, the information will be enough that you know what your rights are. Unfortunately, there are still many cases in which a person will need to hire a lawyer to aid them in recovering their PIP benefits.

Q. What happens if I am not sure that I need a lawyer? Where do I get advice?

A. Our firm members have dedicated themselves to serving injured persons. We gladly providing free initial consultation for people with questions about their injuries. This consultation can be either by phone or by person. If you have questions regarding any personal injury questions, auto or home owners insurance claims or PIP benefits, please call us at McCULLOUGH, WAREHEIM & LaBUNKER, P.A. Insurance coverage can be complex and confusing; sometimes you just need to know what you have to do to obtain your benefits. What you do not know can cost you money and benefits.

Q. If my insurance company and I don't sue anyone for this accident, do I have to pay my insurance company the money back?

A. No. The insurance company only has a right to be paid back if you are paid by the person causing the accident. If neither you nor your insurance company sue anyone on this accident, then you will not have to pay any of the money you received in PIP benefits back.

Q. Should I tell my doctor that I have PIP benefits?

A. Yes. It is very helpful for the doctor to have a copy of your policy so he knows to whom to send the bills. If a doctor does not want a copy of your policy, sometimes it would be helpful if you just let him know who the insurance company is and the type of benefits you have available. Remember, PIP benefits are required by law in the State of Kansas.

DO's AND DON'T's

THE FINAL CHECKLIST

- ✓ Do notify your insurance agent in writing of your accident.
- ✓ Do claim PIP benefits even if the auto accident occurred while at work.
- ✓ If the auto accident occurred when you were at work, notify your employer immediately and notify your insurance agent that it was a work-related injury.
- ✓ Do tell your doctor that you have PIP benefits available for treatments.
- ✓ Do turn in all your bills to your insurance agent or adjuster for payment.
- ✓ Do keep a copy of all your bills should your insurance company deny payment.
- ✓ Do cooperate with your insurance claims adjuster regarding any reasonable request that they may make.
- ✓ Do remember that claims involving automobile accidents must be filed within two (2) years of the date of the accident.
- ✓ Do seek advice of a lawyer qualified in this area of the law, if your insurance company is seeking to change your physician, refusing to pay your bills, or not being responsive to your needs.
- ✓ Claims against an insurance company on any written policy of insurance must be brought within five (5) years. However, do not mistakenly think that you have five (5) years to file suit on an automobile claim. These claims are governed by a two (2) year statute of limitations as set forth above.
- ✓ Make sure that any car you sell is properly transferred to the new owner. If not, you may still be the registered owner of the car. Kansas requires that you carry the title to insurance on all vehicles "registered" to you.

History of McCullough Wareheim & LaBunker, P.A.

McCULLOUGH, WAREHEIM & LaBUNKER, P.A. was founded as a partnership in 1952 by George McCullough. Initially, the firm developed an extensive workers' compensation practice, representing injured workers statewide. In this capacity, the firm took on many "causes" for injured workers and developed a reputation of primarily helping people in need. This was, and is, a tradition of the firm.

Today, the firm has also expanded its practice to other areas related to representing injured persons. The firm routinely handles Personal Injury, Wrongful Death, Social Security Disability, Employment Law and Workers Compensation matter throughout the states of Kansas and Missouri.

The firm has five attorneys, each with defined areas of practice. By having areas of expertise, the firm is able to provide first-class legal services at a reasonable cost. Many times legal problems overlap into various areas. Having a group of attorneys "under the same roof" with different backgrounds and skills is an asset to our clients.

MEMBERSHIPS AND AFFILIATIONS

- Union Privilege Legal Services (UPLS)
- Lobbyist AFL-CIO
- Lobbyist Local 49C Graphic Communications International
- Kansas Bar Association
- Kansas Association for Justice
- Board of Governors of Kansas Association for Justice
- Missouri Bar Association
- Topeka Bar Association