



SERVICE DESCRIPTIONS

LEGAL SERVICES

When a traumatic brain injury (TBI) interrupts a person's ability to fully use their brain, then that person and family may face a number of legal issues that aren't otherwise anticipated. Most professionals agree that it's a good idea to contact an attorney after any hospitalization or lifestyle interruption following a brain injury. Individuals or their families may not be aware of their rights, how to keep them protected, or how to receive compensation or financial assistance for any lost opportunities and abilities.

Identify Your Needs

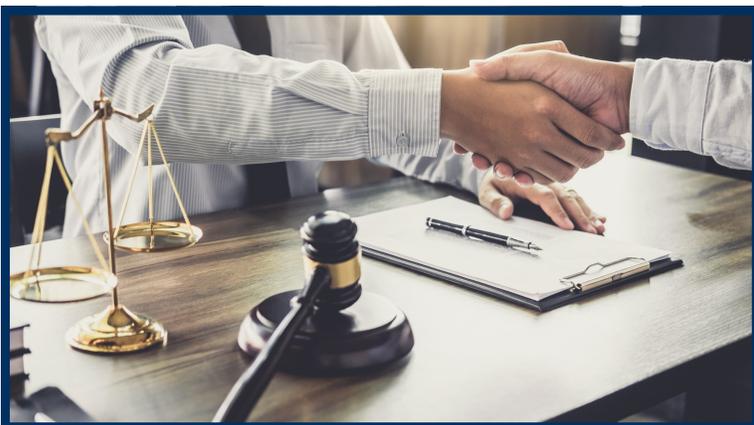
Lawyers can assist you with:

- Obtaining reasonable compensation from the person or company responsible for your injury.
- Determining eligibility for, securing, and maintaining government or Workers' Compensation benefits.
- Securing maximum benefits from insurance policies.
- Ending discrimination against a person with a brain injury.
- Estate planning, including trust funds, wills, power of attorney, and legal guardianship.

Interview Different Lawyers

One of the best ways to assure that an individual receives proper legal representation is to choose a brain injury lawyer with care. Questions to ask may be:

- How many brain injury cases like mine have you handled? What were the results?
- What training have you received to handle brain injury cases?
- What kind of experience do you have selecting, retaining, and working with expert witnesses? How would you use expert witnesses in my case?
- What knowledge do you have of government benefits for persons with brain injury? Can you structure the settlement so that I will not lose eligibility for government benefits?
- Can you provide the names and telephone numbers of three individuals as references who had situations similar to mine?



Finding the Right Lawyer

Lawyers, like doctors, generally specialize in a particular area. For example, an attorney who is an expert in estate planning may not be competent to handle a personal injury case. You should select an attorney with the skills and experience to meet your specific legal issues. Below are some of the most common related to brain injury but is not an exhaustive list.

Personal Injury

- the most diverse area of law because involves any injury and accident (i.e. car accidents, medical malpractice & defective products).
- most personal injury attorneys work under a contingent fee arrangement (attorney agrees to accept a fixed percentage of the recovery).

Disability or Compensation

Benefits

- advocate on your behalf to ensure that you receive the medical care and workers' compensation benefits if your injuries are severe enough that your life will be permanently altered.
- can advise you about filing or appealing a denial for Social Security disability benefits.

Estate & Financial Planning

- create trusts, draft wills, and distribute property as an executor of a will.
- offer legal advice regarding how to prepare for possible incapacity, power of attorney, or guardianship.
- Special Needs Trusts are individuals with disabilities aimed to preserve eligibility for government assistance.

Forensic Neuropsychology

A forensic psychologist is typically involved in the collection, examination, and presentation of evidence in a judicial court case. Often times, the court system will refer suspects and witnesses for a battery of neuropsychological testing to measure a variety of cognitive functions looking for consistency and testing for reduced or malingering (or untruthful) efforts related to brain injury.

RESOURCES & REFERENCES

- Brainline: www.brainline.org/topic/legal-issues
- Legal Aid of NC: www.legalaidnc.org
- NC Bar Foundation: www.ncbarfoundation.org
- Disability Rights NC: disabilityrightsncc.org
- NC DHHS: www.ncdhhs.gov/assistance/guardianship/guardianship-alternatives-to-guardianship
- NC Courts: www.nccourts.gov
- Brain Injury Association of America: www.biausa.org/public-affairs/media/guide-to-selecting-legal-representation
- Americans with Disabilities Act: www.ada.gov