

"All the Truth
That's Fit to Print"

Legal News & Information for Modern Consumers

How we spend our days is, of course, how we spend our lives.

- Annie Dillard

Fall 2007

Dear Friend,

I hope you enjoyed your summer as we turn the corner into fall! A chunk of my summer was spent on a roots tour of Sweden, and the opportunity to visit its neighbors, Denmark and Norway. The geographic similarities between the Northwest and Scandinavia are striking and undoubtedly account for the scores of northern Europeans who immigrated here years ago (And yes, they are blonde and like to drink.). A sensible, common good approach appears to pervade their cultures compared to the cowboy individualism of the United States. In finding my way around foreign land, I was amazed at the efficiency of the transportation systems that included a mix of light rail, buses and cars. But what really struck me was the number of cyclists in the major cities!

Ya Sure, You Betcha! Bicycles Provide Vital Transportation for Commuters in Scandinavia



The City of Seattle, which boasts a large and dedicated group of bicycle commuters, is nothing more than a haphazard and poorly planned biking afterthought compared to Copenhagen, the self-proclaimed bicycle capital of the world. An astounding one-quarter of all commuters in the Danish city arrive to work by bicycle. Why do so many Danes commute in a wet and cold city with the same latitude as Anchorage, Alaska? Easy: City planners and local government made it extremely *safe* to ride in Copenhagen and expensive to drive and park cars in the city. And feeling unsafe is apparently the number one reason more people in Seattle don't ride to work.

Riding is safe in Copenhagen because every major road has its own dedicated and curbed bike lane. Sidewalks for pedestrians only are on one side of the bike lane, and a parking strip for cars and bus stops is on the other. The parking strip effectively shields bicyclists from riding side by side with vehicle street traffic. In those areas without parking strips, ample bike lanes are provided so no "sharing" of the roadway occurs. Bicyclists also have their own scaled traffic signals at bicycle height which turn green before the motorist traffic signals.

This allows bikers to get a jump on vehicle traffic and clear the intersections before stopped cars start moving. Bike lanes are also painted blue in the intersections to alert turning cars crossing bike traffic to exercise caution and to yield to bicyclists.



What I also learned overseas is, when in Denmark, do as the Danes (this is an old Roman maxim). In other words, toss the bike helmet if you're comfortable. Hardly anyone wears them in Copenhagen, not only because it's safe, but also because most Danes are going to work fresh out of the shower with coiffed hair. But riding helmetless in Seattle is suicide, particularly with bike accidents on the rise here. Strap on the hardhat, and ride defensively next to the hordes of impatient non-biking drivers brandishing cell phones. We have a long way to go to match the Scandinavian model, but having now been there, transforming our streets for bicycle commuters is my new great green vision that would enhance the character and temperament of our city.

Approve Referendum 67 to Protect Yourself and to Require Fair Play from Insurance Companies



You've probably already seen the ads on TV, but this is another bitter battle between the insurance industry and the people they insure. At its core, Referendum 67 creates incentives for insurance companies to treat consumers with legitimate claims fairly by allowing the court to assess penalties if an insurance company illegally denies or delays payment of a sound claim. We are currently one of only *five* states that does not issue penalties for insurance claim shenanigans: R-67 fixes that problem.

As a consumer, if you try to profit from an insurance claim by committing fraud, it's a felony. And if you don't comply with every aspect of your insurance policy, your claim is denied. Yet there are currently no comparable penalties for insurance companies. As insurance industry watchdog Doug Heller put it, "It's like catching a bank robber and simply making them give the money back. That's not justice. That gives the bank robber the ability to play the odds." That's exactly what

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Washington Law & Politics Magazine
named Ken a personal injury *Super-*
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insurance companies (and their actuaries) do.

More than 4,000 Washington consumers file complaints against insurance companies every year without a full and fair remedy. Denial or delay of payment on insurance claims can cost more than money. For some families it means denied access to needed medical care, loss of a small business or ruined credit.

A principal argument of the insurance industry is that passage of R-67 will lead to *your* insurance rates going through the roof. In other words, be afraid. In fact, be terrified. Fear generally works to shape public opinion e.g., Osama bin Laden, terrorism, WMD's, the sky is falling, etc.



But as Governor Gregoire noted recently, "as long as a company acts in good faith and pays claims on time, there no reason for that company's rates to rise. All [R-67] says is you can't unreasonably deny claims, and good insurance companies don't do that."

Insurers also argue that with passage of R-67 there will be a flood of lawsuits and no one will profit but the trial attorneys. But R-67 won't lead to more litigation, it will merely lead to more legitimate claims being timely paid and fewer people wondering why they paid insurance premiums all those years only to have their claims denied. Litigation will only ensue when a genuine disagreement exists, and then the courts will have the power to assess appropriate penalties if foul play is involved.

R-67 simply allows us to get what we paid for: the fair and timely payment of legitimate claims. **Approve 67.**

My Pick: Bruce Harrell for Seattle City Council Position #3

Bruce is a neighbor, friend and law school classmate of mine. He's a smart, dedicated true blue native, and my clear choice for a city council in need of his vision and leadership. Please vote for Bruce in November. For more info, visit



www.electbruceharrell.com.

Until next time,