



Walker, Billingsley & Bair

Attorneys at Law

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www.WalkLaw.com Injury Victims go to www.InjuredIowan.com

Free Legal Books at www.IowaLegalInsider.com

Walker & Billingsley is a six attorney firm with almost 100 years of combined experience and an emphasis in personal service. We are engaged in the General Practice of Law, including but not limited to:

- Personal Injury & Wrongful Death
- Family Law & Domestic Relations (Divorce)
- Real Estate
- Wills, Trusts, Estate Planning & Probate Law
- Criminal Law
- Taxation & Tax Returns
- Litigation & Trial Law
- Product Liability
- Employment Law
- Workers' Compensation

We handle a wide variety of cases throughout the State of Iowa and beyond. Each one of our seven attorneys has an area of expertise to meet your legal needs. Also, we have offices in Newton and Des Moines to better serve our clients. Further, we meet our clients' needs by providing a "FREE Initial Consultation". Call 1-888-792-3595 to schedule your no obligation, no cost initial consultation. We offer a "contingency fee" on injury cases such as automobile accidents, work injuries, falls, product liability, medical negligence and wrongful death. A "contingency fee" means that there is no financial risk to you for attorney fees because we are not paid, unless you make a recovery. We also have evening, weekend and homebound appointments available.

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OUR ATTORNEYS

Each year, we accept a limited number of cases from the hundreds of people who ask us to represent them. We are not a “mill” law firm and our paralegals and assistants do not negotiate our cases. Fewer cases means more time for you and, we believe, better results overall. We handle a wide variety of cases throughout the State of Iowa have offices in Newton and Des Moines to better serve our clients. Each one of our seven attorneys has an area of expertise to meet your legal needs. Also, we offer a “contingency fee” on car accident, work injury and other personal injury cases. A contingency fee means if you do not you receive compensation for your injuries; then you do not owe us anything. We also have limited evening and weekend appointments available.

Lee M. Walker: I am Lee “Ken” M. Walker and I have been practicing law since 1975 when I graduated from Drake Law School. I have a general practice including, but not limited to divorces and family law, real estate, estate planning and probate, criminal defense, general civil litigation along with taxation including preparing tax returns. While I do not handle all types of cases, there are lawyers in our office who do. With hard work and aggressive representation I seek the very best for my clients.

- Active Law Practice- Has had more than 750 trials and has represented thousands of Iowans for more than 32 years.
- Author of Numerous Consumer Books and Reports
- Member of Iowa and American Bar Associations
- Member of American Association for Justice
- Served on the Newton Economic Development Board
- Former member of the Newton Board of Realtors
- Member of Iowa Association for Justice
- Admitted to the United States Supreme Court
- Lived in Newton, Iowa since 1965

John E. Billingsley: My name is John E. Billingsley and I have been helping Iowans protect their rights as an attorney in Newton, Iowa since 1982. I served as the Jasper County Attorney from 1985 to 1988 and was a member of the Drake University Law School faculty for more than 13 years. While much of my practice involves criminal cases, I also handle other general civil litigation, including, but not limited to family law and divorces, trials and appeals.

- Active Criminal and Civil Practice- Handled more than 3,500 criminal cases including more than 500 trials.
- Former Jasper County Attorney and have practiced law for more than 25 years
- Author of Consumer Books and Reports
- Member of Iowa and American Bar Associations
- Member of American Association for Justice
- Member of Iowa Association for Justice
- John was born in Des Moines, Iowa and has lived in Newton continuously since 1982

Corey J. L. Walker: I am Corey Walker and I have been representing individuals against insurance companies and big corporations since 1997. My practice consists of accidents, personal injury and workers' compensation cases. If you want a divorce or have a traffic ticket, I won't handle your case, but I can refer you to another attorney at our office that will. I worked my way through college and then through law school and am dedicated to helping Injured Iowans. With hard work and personal attention I help Level the Field between Injured Iowans and Insurance CompaniesTM

- Active Practice- Has Represented More than 1,000 Iowans Injured in Car Accidents, Work Injuries and Other Personal Injury Accidents.
- Active Trial Practice- More Than 300 Trials With 50+ Jury Trials
- Handled Numerous Cases Throughout the Appeals Process
- Fighting Insurance Companies Since 1997
- Millions of Dollars Recovered for Injured Iowans
- Author of Numerous Consumer Books and Reports
- Recognized Lecturer on "Legal Education" for Lawyers
- Practices Primarily in Personal Injury and Workers' Compensation
- Member of the Iowa Association for Justice
- Iowa Association for Justice Board of Governor for District 5A since 2000
- Member of American Association for Justice
- Member of WILG- Workplace Injury Litigation Group
- Admitted to the United States Supreme Court
- Active in Drafting and Lobbying for Legislation to Help Injured Iowans
- Born and Raised in Iowa
- Avvo.com Attorney Rating of "**Superb**"

Kathryn “Beth” Walker: My name is Beth Walker and I have been practicing law for 7 years. I graduated from Drake Law School Order of the Coif (meaning one of the top 10 students in my class). I have a general practice including divorces and family law matters, real estate, juvenile law, wills, estate planning and probate. I do not handle all types of cases, but there are lawyers in our firm who handle other matters. I work to help people receive the best results during difficult periods of their lives whether it is a divorce, criminal charge, estate planning, death of a family member, real estate or other legal matter.

I look forward to working with you in your legal matter because I am dedicated to protecting my client’s rights and helping them receive the best and most efficient results possible.

- Active Law Practice- Beth has handled more than 750 Family Law/Divorce Matters, Real Estate Transactions, Wills and Estate Planning, Probate and other Legal Matters
- Author of Numerous Consumer Books and Reports
- Former Board Member of the Newton Housing Development Board
- Member of Iowa Title Guarantee
- Member of Iowa Bar Association
- Member of American Association for Justice
- Member of Iowa Association for Justice
- Born and Raised in Iowa

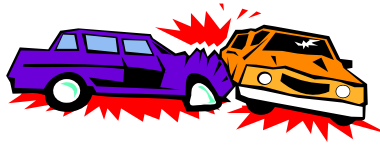
Erik D. Bair: I am Erik D. Bair I have been helping Iowans protect their rights since graduating from Drake Law School in 2001. I have a general practice including, but not limited to criminal defense, personal injury, divorces and family law, real estate, estate planning and probate along with general civil litigation. I have helped clients charged with a wide variety of crimes including OWI’s, drug charges, theft, forgery, misdemeanors and other criminal matters. I have successfully obtained over 80 not guilty jury verdicts for my clients. I am dedicated to upholding the United States and Iowa Constitution and to protecting the rights of Iowans whether they are charged with a crime, need a divorce or were hurt in an accident.

- Active Criminal and Civil Practice- Handled more than 500 cases including more than 50 trials.
- Author of Numerous Consumer Books and Reports
- Member of Iowa and American Bar Associations
- Member of American Association for Justice
- Member of Iowa Association for Justice
- Erik was born and raised in Des Moines, Iowa

Jane Odland: I'm Jane Odland and I joined Walker & Billingsley in 2004. I grew up on a farm in northern Iowa. I graduated from Iowa State University where I met my husband, Ken, an ISU engineering graduate. We have lived in the Newton area since 1981. Previously, I worked as a medical technologist and for the Postal Service. I attended law school at the University of Iowa while my 3 children were in elementary and middle school. I have a general practice of law including, but not limited to divorces and family law, real estate, estate planning and probate, criminal defense, general civil litigation along with taxation including preparing tax returns. While I do not handle all types of cases, there are lawyers in our office who do. Whether you are going through a divorce, facing criminal charges, need estate planning or help with your income taxes, I look forward to assisting you with your legal matter.

- Active Law Practice- Jane has handled more than 500 Family Law/ Divorce Matters, Real Estate Transactions, Criminal, Wills and Estate Planning, Probate and other Legal Matters.
- Author of Numerous Consumer Books and Reports
- Members of Iowa and American Bar Associations
- Members of American Association for Justice
- Member of Iowa Association for Justice
- Born and raised in Iowa

AUTOMOBILE-CAR ACCIDENT



You should know that if you are injured in a car accident caused by someone else's negligence, Iowa law provides for you to recover various types of damages:

- **Damage To Your Vehicle Or Other Personal Property:** You are entitled to be made whole for any damage to your personal property. When your vehicle can be repaired, you are entitled to recover the reasonable cost of restoring the vehicle to its condition before the collision. In addition, you may recover the cost of substitute transportation necessarily incurred while they are repairing your vehicle. If the cost of repair is more than the value of your vehicle (a "total loss"), you are entitled to recover the full value of your vehicle before it was damaged.
- **Medical Expenses:** The cost of all reasonable and necessary medical expenses incurred and that are reasonably certain to be incurred in the future because of your injury, are recoverable. These expenses include past (already-incurred) medical expenses and also future medical expenses, which may be the product of the original injury or that result from an increased susceptibility to future injury. All forms of care and treatment, whether hospital, medical, therapy, nursing, diagnostic testing, surgery, physical rehabilitation or pain management are included. You can recover the full value of your medical expenses from the responsible party even if your health insurer has paid all or part of your bills.
- **Loss Of Earnings:** You are also entitled to recover the loss of earnings suffered from your injuries. Thus, wages, commissions, bonuses and all other earnings and fringe benefits are recoverable.
- **Future Loss Of Earnings:** If your injuries permanently limit your ability to earn, you can recover the value of the reduction in earning capacity with reasonable probability which will occur in the future. These damages compensate you for your lost earning power over the remainder of your working years.

- **Pain And Suffering:** Ordinarily, the most “valuable” element of your bodily injury claim is the right to compensation for physical pain and mental anguish you have suffered and will endure in the future because of your injury. These general damages are in addition to and may be far more than the amount of your lost earnings and medical expenses.
- **Death:** Damages for “wrongful death” are available for the wife, husband, parent and child of the deceased person. Sometimes, persons related by blood or marriage, who were dependent upon the deceased, may recover. Damages are not limited to economic loss and may include damages for mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, marital care, parental care, filial care, attention, advice, counsel, training, guidance or education. Damages are available for the deceased’s estate as well.
- **Disfigurement:** If the injury causes scarring or other unsightly marks, you are entitled to recover for the disfigurement and humiliation or embarrassment associated with the disfigurement.
- **Damage To The Marital Relationship:** Serious injuries to one spouse may cause damage to the marital relationship. If this occurs, you are entitled to recover for the loss of society, affection, assistance, conjugal fellowship and loss or impairment of sexual relations that occurs.

(**WARNING:** CHANGES IN THE LAW CONCERNING DAMAGES OCCUR FREQUENTLY. YOU SHOULD CONSULT WITH AN ATTORNEY WITH RESPECT TO THESE CHANGES.)

If you have recently been injured in an auto accident because of someone else’s fault, you are probably confused or worried about what steps to take next:

- ▶ Will I be paid for the time I’m losing from work?
- ▶ Will my medical bills be paid?
- ▶ What do I do if the person who hit my car doesn’t have auto insurance?
- ▶ Will my car be repaired?
- ▶ What if I don’t make a full recovery and cannot return to my former work?
- ▶ What will the insurance company offer me for my personal injuries?

- ▶ How will I know that the insurance settlement is fair for my injuries?
- ▶ How will I know that the attorney I've chosen to represent my case is a competent lawyer and will know what to do?
- ▶ How will I be able to know if I don't have a competent attorney?

Unfortunately, we see way too many people misinformed about their rights after being injured. We have seen honest, hard working, unsuspecting people being taken advantage of by uncaring insurance companies. We have heard too many horror stories of injured people losing what they rightfully deserve because a big insurance company intimidated them or an attorney who didn't know any better "sold" them an unfair settlement. Each year we hear of many cases where an injured person is entitled to receive compensation for injuries, but never takes any action to submit a claim to get what they truly deserve. These days, **doing nothing at all is one of the worst things you can do.** It's hard enough to make ends meet these days and getting injured shouldn't have to make matters worse.

A **new FREE Book** entitled "The Legal Insider's Guide to Iowa Car Accidents- 7 Secrets to Not Wreck Your Case" reveals · 6 Things to Know Before Talking to the Insurance Adjustor · 5 Things to Know **Before Hiring an Attorney** · 10 Myths about Car Accidents **Why offer a Free Book?** For more than 11 years Iowa Injury Attorney Corey Walker has represented hundreds of Iowans injured in car accidents. He has seen too many clients make mistakes before they had the "right" information resulting in them losing thousands of dollars. **Finally**, you can learn about car accidents in the comfort of your own home with no risk or obligation. However, quantities are limited so to learn how to **avoid costly mistakes Call Now** (800)-707-2552, ext. 510 (Recorded Consumer Awareness Message). For more information go to www.IowaCarAccidentBook.com.

BUSINESS LAW



As principal counsel to both established and emerging companies, our business attorneys provide day-to-day advice on all aspects of our clients' business operations and strategies. We assist them in establishing the right business entity whether it is a partnership, LLC (limited liability company) or corporation. We also help with the by-laws and other agreements required in today's complex legal world. We also advise these clients with respect to shareholder, director and officer duties and relationships.

As smaller companies grow, we are able to provide counsel on such additional issues as real estate acquisition and development and labor and employment, including employment policies, hiring agreements, employee benefit plans and strategies to attract and retain essential executives.

When necessary, we provide litigation services support for our business clients. We advise companies on strategies for avoiding litigation, and we counsel clients on the best ways to resolve cases effectively and expeditiously. Our litigators are experienced in all areas of business and commercial litigation, as well as arbitration and administrative proceedings. Because many lawsuits settle before hearing or trial, we pay particular attention to developing procedures and negotiations to best position our clients for possible settlements.

In sum, we advise these business owners on a broad range of business and legal issues as we strive to maintain the highest level of trust and counsel in our relationships with them.

CRIMINAL LAW



Walker & Billingsley practice criminal law matters because we believe that everyone is entitled to a fair trial and the best counsel. Those charged in American courts are presumed innocent until proven guilty. At Walker & Billingsley we do all that can be done in every case to require the government to prove its case or to release our client. Regardless of our client's exposure, we evaluate the evidence and the law before making any recommendation. While investigating the client's exposure, we continually prepare with an eye toward taking every case to trial. In other cases, the client must go to trial because the client is innocent or the government simply cannot prove guilt. If the client's exposure is too significant, we take a "damage control" approach (*i.e.*, plea bargains or other mitigation at trial for a lesser included offense or a reduced sentence).

In matters of criminal law, the client must choose experienced attorneys whom they trust. Walker & Billingsley offers you trust, confidence and experience required in these very critical situations. Walker & Billingsley represents those charged with a crime and those under investigation in all phases of complex and routine criminal litigation and appeals in state and Federal Courts. Walker & Billingsley reviews all criminal law matters, for example: OWI's, drug charges, white collar, homicide or other crimes of violence, computer crime, sex crime, appeals, and post-conviction actions and others.

If you have recently been arrested or charged with a crime you are probably confused or worried about what steps to take next:

- ▶ How will I know that the attorney I've chosen to represent my case is a competent attorney and will know what to do?
- ▶ How will I be able to know if I don't have a competent attorney?
- ▶ How much will it cost to defend my rights?
- ▶ When should I be in court?

Our experienced criminal attorneys will ensure your rights are not violated. Many have worked as both prosecutors and defense attorneys. This gives them the advantage of knowing how both sides work to better serve you. Let one of our criminal defense attorneys explain your rights and assist you in resolving your criminal matters.

A new **FREE** legal guide entitled "Criminal Law, Iowa Guide to Protecting Your Rights and Freedom" exposes the "5 Rights to Know if you are Charged with a Crime" is now available to people living in Central Iowa. To find out more you can log onto our web page www.IowaLegalInsider.com or to hear a brief recorded message about how to order your **FREE** copy Call Now 1-800-850-6617 and ext. 515. (24 Hour Recorded Message).

DISSOLUTION OF MARRIAGE (DIVORCE)



This is a summary of Iowa dissolution procedure. It may answer questions that you have about your dissolution case. This is a general outline and there may be circumstances in some cases that would modify some of the general statements made here. Please only use this document as a summary of the procedures. Please consult an attorney for answers to specific questions.

OUTLINE OF IOWA DIVORCE LAW

- a. Who should file first- It really does not make a difference who files first in a dissolution of marriage other than what county the divorce will be in.
- b. Where divorce filed- The divorce must be brought in the county in which either the husband or wife is residing.
- c. Waiting period- There is a 90 day waiting period from the time the other party receives the papers until the divorce can be granted. This 90 day waiting period can be waived under certain circumstances.
- d. Marriage counseling- Marriage counseling is not required, but either party can request a one time marriage conciliation done independently from each party.
- e. Property and Debts- Property and debts are to be divided equitably between the parties which as a general rule means that each party will receive approximately one-half of the equity accumulated during the marriage, ie. assets minus debts accumulated during the marriage.
- f. Child Support- Child support is set according to the parties income, the number of children and mandatory deductions like an IPERS pension. Roughly child support is 20% of the non-custodial parents income for 1 child, 30% for 2 children and 40% for 3 children.
- g. Alimony- There are no set guidelines as to whether or not you will pay or receive alimony. The Court considers the length of the marriage, health of the parties, financial position, education and work history among various other factors.

POTENTIAL ISSUES IN A DIVORCE

I. Child custody and support- if applicable

- a. Who will receive custody of the children?
- b. What is the “best interests” of the children?
- c. How much child support will I have to pay or receive?
- d. When will child support start?
- e. How long do I pay or receive child support?
- f. Who is allowed to claim the children on their taxes?
- g. Who will pay for the children’s school expenses, clothes, etc.?
- h. Who will pay for college expenses?

II. Property and Debts

- a. Who will have to pay the debts?
- b. Who gets the marital home?
- c. Will I have to pay money to my spouse as a property settlement?
- d. How much debt will I have to pay?
- e. What is marital property and debts?
- f. Does the inheritance I received count towards marital property?

III. Alimony

- a. Am I entitled to it or will I have to pay it?
- b. For what period of time will I receive it or pay it?
- c. What are the tax consequences of alimony?

IV. Conclusion

The above are just a few questions that may need to be answered in a divorce. There are many additional things that should be considered in a divorce. Please consult an attorney for answers to your specific questions.

A new **FREE** book entitled “Iowa Legal Insider’s Guide to Family Law, Divorce and Paternity” which exposes “5 Ways to Survive” is now available to people living in Central Iowa. To find out more you can log onto www.IowaLegalInsider.com or to hear a brief recorded message about how to order your **FREE** copy Call Now 1-800-850-6617 and ext. 513. (24 Hour Recorded Message).

EMPLOYMENT LITIGATION

Employees and Employers



Our employment law litigation practice involves ensuring the rights of the employee and employer in multiple forums, jurisdictions and states. Our employment attorneys litigate cases before administrative agencies such as the Equal Employment Opportunity Commission, the Iowa Civil Rights Commission, the Occupational Health and Safety Commission and the Wage and Hour Division of the Department of Labor. We also handle unemployment hearings at all levels.

Walker & Billingsley's experience with state and federal court litigation is also very broad. Our employment attorneys help preserve the rights of employees and employers alike in civil rights litigation, contract actions, employment tort cases and other statutory causes of action.

*MEDICAL MALPRACTICE / NEGLIGENCE



If you have been injured by a negligent doctor or other medical provider, Iowa law may allow you to recover various types of damages:

- **Loss Of Earnings**: You are entitled to recover the loss of earnings suffered from your injuries. Thus, wages, commissions, bonuses and all other earnings and fringe benefits are recoverable.
- **Future Loss Of Earnings**: If your injuries permanently limit your ability to earn, you can recover the value of the reduction in earning capacity with reasonable probability which will occur in the future. These damages compensate you for your lost earning power over the remainder of your working years.
- **Pain And Suffering**: Ordinarily, the most “valuable” element of your bodily injury claim is the right to compensation for physical pain and mental anguish you have suffered and will endure in the future because of your injury. These general damages are in addition to and may be far more than the amount of your lost earnings and medical expenses.
- **Death**: Damages for “wrongful death” are available for the wife, husband, parent and child of the deceased person. Sometimes, persons related by blood or marriage, who were dependent upon the deceased, may recover. Damages are not limited to economic loss and may include damages for mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, marital care, parental care, attention, advice, counsel, training, guidance or education. Damages are available for the deceased’s estate as well.
- **Disfigurement**: If the injury causes scarring or other unsightly marks, you are entitled to recover for the disfigurement and humiliation or embarrassment associated with the disfigurement.
- **Damage To The Marital Relationship**: Serious injuries to one spouse may cause damage to the marital relationship. If this occurs, you are entitled to recover for the loss of society,

affection, assistance, conjugal fellowship and loss or impairment of sexual relations that occurs.

- **Medical Expenses:** These expenses include past (already-incurred) medical expenses and also future medical expenses, which may be the product of the original injury or that result from an increased susceptibility to future injury. All forms of care and treatment, whether hospital, medical, therapy, nursing, diagnostic testing, surgery, physical rehabilitation or pain management are included. However, if your health insurer has paid all or part of your bills you may not be able to make a full recovery for medical expenses. You should consult a attorney about the specifics of your potential case.

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If you have recently been injured by a negligent doctor, you are probably confused or worried about what steps to take next:

- ▶ Will I be paid for the time I'm losing from work?
- ▶ Will my medical bills be paid?
- ▶ What if I don't make a full recovery and cannot return to my former work?
- ▶ What will the insurance company offer me for my personal injuries?
- ▶ How will I know that the insurance settlement is fair for my injuries?
- ▶ How will I know that the attorney I've chosen to represent my case is a competent attorney and will know what to do?
- ▶ How will I be able to know if I don't have a competent attorney?

Unfortunately, we see way too many people misinformed about their rights after being injured. We have seen honest, hard working, unsuspecting people being taken advantage of by uncaring insurance companies. We have heard too many horror stories of injured people losing what they rightfully deserve because a big insurance company intimidated them or a attorney who didn't know any better "sold" them an unfair settlement. Each year we hear of many cases where an injured person is entitled to receive compensation for injuries, but never takes any action to submit a claim to get what they truly deserve. These days, **doing nothing at all is one of the worst things you can do.** It's hard enough to make ends meet these days and getting injured shouldn't have to make matters worse.

PERSONAL INJURY, PRODUCT LIABILITY & WRONGFUL DEATH



We want you to know that if you have been injured by a defective product, in a slip and fall, by someone else's negligence, or by someone else's intentionally act Iowa law may entitle you to recover various types of damages:

- **Damage To Your Vehicle Or Other Personal Property:** You are entitled to be made whole for any damage to your personal property.
- **Medical Expenses:** The cost of all reasonable and necessary medical expenses incurred and that are reasonably certain to be incurred in the future because of your injury, are recoverable. These expenses include past (already-incurred) medical expenses and also future medical expenses, which may be the product of the original injury or that result from an increased susceptibility to future injury. All forms of care and treatment, whether hospital, medical, therapy, nursing, diagnostic testing, surgery, physical rehabilitation or pain management are included. You can recover the full value of your medical expenses from the responsible party even if your health insurer has paid all or part of your bills.

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- ▶ Will I be paid for the time I'm losing from work?
- ▶ Will my medical bills be paid?
- ▶ What do I do if the person who hit my car doesn't have auto insurance?
- ▶ Will my car be repaired?
- ▶ What if I don't make a full recovery and cannot return to my former work?
- ▶ What will the insurance company offer me for my personal injuries?
- ▶ How will I know that the insurance settlement is fair for my injuries?
- ▶ How will I know that the attorney I've chosen to represent my case is a competent attorney and will know what to do?
- ▶ How will I be able to know if I don't have a competent attorney?

Unfortunately, we see way too many people misinformed about their rights after being injured. We have seen honest, hard working, unsuspecting people being taken advantage of by uncaring insurance companies. We have heard too many horror stories of injured people losing what they rightfully deserve because a big insurance company intimidated them or a attorney who didn't know any better "sold" them an unfair settlement. Each year we hear of many cases where an injured person is entitled to receive compensation for injuries, but never takes any action to submit a claim to get what they truly deserve. These days, **doing nothing at all is one of the worst things you can do.** It's hard enough to make ends meet these days and getting injured shouldn't have to make matters worse.

A **new FREE Book** reveals · 6 Things to Know Before Talking to the Insurance Adjustor · 5 Things to Know **Before Hiring an Attorney** · 10 Myths about Personal Injury Cases The Book is entitled "Iowa Personal Injury and Wrongful Death- The Legal Insider's Guide- 8 Commons Mistakes Made by Injured Iowans". ***Why offer a Free Book?*** For more than 11 years Iowa Injury Attorney Corey Walker has represented hundreds of Iowans injured in personal injury accidents. He has seen too many clients make mistakes before they had the "right" information resulting in them losing thousands of dollars. **Finally**, you can learn about personal injury cases in the comfort of your own home with no risk or obligation. However, quantities are limited so to learn how to **avoid costly mistakes Call Now** (800)-707-2552, ext. 712 (Recorded Consumer Awareness Message). For more information go to <http://www.IowaInjuryBook.com>.

REAL ESTATE



Our office offers complete legal services for all your real estate needs. Whether you are buying, selling or leasing a residential or commercial property we have the answers to your questions. Our real estate services range from loan closings, title opinions, deeds and document preparation along with various other services.

If you are in a real estate transaction or plan to, you may be confused or worried about what steps to take next:

- ▶ Who will prepare the necessary documents and are they in my best interests?
- ▶ Who has to pay for closing costs?
- ▶ What are an abstract and a title opinion?
- ▶ Is my realtor really looking out for me?
- ▶ When can we legally take possession?

There is enough stress when purchasing a new home or when buying commercial real estate. You should leave the details of your legal transaction to us. We can help to ensure that your questions are answered and concerns addressed.

A new **FREE** book entitled “Iowa Legal Insider’s Guide to Buying and Selling Real Estate” provides more information about Iowa’s real estate laws including the 5 Real Estate Pitfalls and Traps to Avoid is now available to people living in Central Iowa. To find out more you can log onto www.IowaLegalInsider.com or to hear a brief recorded message about how to order your **FREE** copy, Call 1-800-850-6617 and enter ext. 517. (24 Hour Recorded Message). *Why offer **Free Books**?* Because we care about our clients and have seen too many make mistakes **before** they hired us in real estate matters costing them thousands of dollars. Finally, you can learn about Iowa's real estate laws (including your legal responsibilities) in the comfort of your own home with no risk or obligation.

TAXES – Individual, Partnership and Corporate



Walker & Billingsley provides comprehensive tax services to our clients which includes preparing tax returns for individuals, partnership, corporations, not-for-profit corporations, trusts and estates. Also, our attorneys have experience in developing and implementing estate plans designed to maximize the available tax benefits and minimize the tax burden for our clients. When tax disputes occur, we have qualified attorneys with tax litigation experience who can represent clients before the Internal Revenue Service or in court.

If you are overwhelmed by your tax burden, have been contacted by the IRS or are having trouble handling your taxes, you may be confused or worried about what steps to take next. We can help assist you in audits and with hearings involving the IRS.

WILLS, ESTATE PLANNING AND PROBATE



Our office offers complete legal services for all your estate planning and probate needs. Whether you are planning for the future with a will or power of attorney; or perhaps wrapping-up the financial affairs of a loved one, we have the attorneys and staff to handle your needs.

If you are thinking about a will or have been appointed as executor in an estate, you may be confused or worried about what steps to take next:

- ▶ Do I need a will and what happens to my assets if I die without a will?
- ▶ What is the difference between a will and living will?
- ▶ Why should I have a power of attorney and what does that person do?
- ▶ Does the estate of my loved one need to be probated?
- ▶ How much does and costs and how long does it take to probate an estate?

Probate is the court action by which assets are transferred to heirs after a death according to the deceased's will or according to state law if no will was left. A full probate action can be costly and time consuming. Fees must be paid to the executor or administrator, and to the attorney representing the estate. Asset will not generally be distributed to heirs for six to twelve months, and complicated estates involve much longer delays.

Planning before death may allow a court probate action to be avoided. First, a living trust can be considered. This document provides for the transfer of assets directly to beneficiaries under the trust, without any court action. Second, a will with a minor's trust can be considered for small estates, with the thought of utilizing summary probate proceedings after death. Third, changes in the way you hold "title to property" may be considered, which would allow you to avoid having to include your real property in a probate action. Our office offers complete Wills, Estate Planning and Probate services along with various other services.

A new **FREE** book entitled "What Will Happen When I Die? Iowa Consumer's Guide to Wills, Estate Planning and Probate" exposes the "4 Things That Could Hurt Your Family" and "How to **Avoid the Death Tax**" is now available to people living in Central Iowa. To find out more you can log onto www.IowaLegalInsider.com or to hear a brief recorded message about how to order your **FREE** copy, Call 1-800-850-6617 and enter ext. 516. (24 Hour Recorded Message).

WORKERS' COMPENSATION



These days, **doing nothing at all is one of the worst things you can do.** It's hard enough to make ends meet these days and getting injured shouldn't have to make matters worse. Iowa Law has recognized the needs of its injured workers for more than 75 years. The law requires every employer to obtain workers' compensation insurance (or be approved as a self-insurer) to cover claims made by their injured workers. Even the best employer, however, is not likely to tell you all you need to know. If you are injured in an accident or suffer from an occupation disease at work, you must report your work injury within 90 days of the date of injury. The law also limits the time in which you have to settle or file your workers' compensation claim. The limits are 2 years from the date of the work injury if the claim has been denied or if temporary benefits have not been paid or 3 years from the date you last received weekly workers' compensation benefits. (Note: Please be advised that there are exceptions to these rules and you should consult an attorney to determine what applies in your case).

If you meet the legal requirements for a workers' compensation claim, then the law says you are entitled to receive the following benefits:

- **Lifetime Medical Treatment:** Your employer is responsible for paying for all medical care necessary to treat your injury. This includes all forms of care and treatment, whether hospital, medical, therapy, nursing, diagnostic testing, surgery, physical rehabilitation or pain management. The right to medical care and treatment may continue for the rest of your life for conditions related to your accidental injury or occupational disease.

- **Cash Payments While You Recover And Cannot Work:** While you are healing and unable to work, you will receive cash payments to replace your usual earnings. The amount of your payment is based upon your average weekly earnings when injured or disabled.
- **Mileage Expenses:** You are entitled to be reimbursed at the rate of \$.29 per mile for all mileage you incur going to and from doctors appointments, physical therapy visits, etc.
- **Cash Payments for Permanent Disability:** If your work injury or occupational disease causes a permanent impairment, you are entitled to a cash award for the resulting disability. The amount of the award is based on the part or parts of the body involved, the nature and extent of your disability and the amount of your average weekly earnings when you were hurt or disabled. The following are examples of how many weeks of benefits you would receive multiplied by your percentage of disability:

Examples of Unscheduled Member Injuries:

Shoulder- Percentage based upon 500 weeks of available benefits. For example an 8% body as a whole shoulder impairment rating generally equals a minimum of 40 weeks of benefits. However, depending on many factors, including lifting and activity restrictions imposed, lost wages, etc. an 8% shoulder impairment rating could result in 100 weeks or more in benefits.

Back- Percentage based upon 500 weeks of available benefits. For example a 10% body as a whole back impairment rating generally equals a minimum of 50 weeks of benefits. However, depending on many factors including lifting and activity restrictions imposed, lost wages, etc. a 10% back impairment rating could result in 120 weeks or more in benefits.

Neck- Percentage based upon 500 weeks of available benefits. For example a 15% body as a whole neck impairment rating generally equals a minimum of 75 weeks of benefits. However, depending on many factors including lifting and activity restrictions imposed, lost wages, etc. a 15% neck impairment rating could result in 150 weeks or more in benefits.

Brain and Mental Injuries- Percentage based upon 500 weeks of available benefits. Sometimes you will not receive an impairment rating for a brain injury or mental health injuries such as depression, anxiety or PTSD- post traumatic stress disorder. However, if you have a permanent condition which has impacted your ability to earn a living then you may be entitled to receive permanent disability benefits.

Nerve Injuries- CRPS- Chronic Regional Pain Syndrome, RSD- Reflex Sympathetic Dystrophy- Even if your work injury is to a scheduled member, if you have been diagnosed with one of the above nerve injuries or another type of nerve injury then your

case may be considered an injury to your body as a whole. Depending on many factors including your ability to work, lifting and activity restrictions imposed, lost wages, etc. you may be entitled to a percentage of 500 weeks of benefits.

Respiratory and Circulation Injuries- These injuries include occupational asthma and injuries to arms or other body parts when the circulation has been affected like in Reynaud's syndrome.

Examples of Scheduled Member Injuries:

Arm- 250 weeks, e.g. a 10% arm impairment rating equals 25 weeks of benefits.

Hand- 190 weeks, e.g. a 20% hand impairment rating equals 38 weeks of benefits.

Leg- 220 weeks, e.g. a 15% leg impairment rating equals 33 weeks of benefits.

Foot- 150 weeks, e.g. a 30% foot impairment rating equals 45 weeks of benefits.

Fingers- Thumb- 60 weeks, 1st Finger- 35 weeks, 2nd Finger- 30 weeks, 3rd Finger- 25 weeks, 4th Finger- 20 weeks. For example, a 40% impairment rating to the 1st finger would equal 14 weeks of benefits. Please note that injuries to fingers may not count as an injury to a hand for 2nd injury fund or other purposes.

NOTE: If you do not know which category your injury fits into please contact us. Also, you may be entitled to additional benefits for a scheduled member injury depending on whether or not you have sustained previous injuries, etc. For example, you may qualify for 2nd Injury Fund benefits.

- 2nd Injury Fund: If you previously sustained a scheduled member injury (arm, hand, leg, knee, foot, eye, etc.) even if it was not work related, and then sustain a work related scheduled member injury you may be entitled to additional benefits under the Iowa Second Injury Fund Act. Please keep in mind that prior

medical conditions such as arthritis, carpal tunnel, vision loss, etc. followed by a scheduled member work related injury may qualify you for additional benefits. If you think that you may qualify for the 2nd injury fund, please give us a call and we can help you determine if you qualify.

- Permanent Total Disability: If you sustain an unscheduled member injury, injuries to both hands, arms or legs; or a qualifying 2nd Injury and are no longer able to do any work, then you may be entitled to receive permanent total disability benefits which pay you a weekly benefit for the rest of your life.
- Death: Damages for the death of a worker are available for the wife, husband, and/or dependent children of the deceased. This can include a spouse if there was a common law

marriage. Also, sometimes people who were not related, but dependent upon the deceased may recover. Damages are compensation for the lifetime of the beneficiary.

- Additional Disability Benefits If Your Condition Worsens: You may be able to “re-open” your claim after an initial disability award if the injury worsens. The request to “re-open” your claim **MUST BE MADE WITHIN THREE YEARS** of the date on which you last received workers’ compensation disability benefits.

(WARNING: CHANGES IN THE LAW CONCERNING DAMAGES OCCUR FREQUENTLY. YOU SHOULD CONSULT WITH AN ATTORNEY WITH RESPECT TO THESE CHANGES.)

If you have recently been injured at work, you are probably confused or worried about what steps to take next:

- ▶ Will I be paid for the time I’m losing from work?
- ▶ Will my medical bills be paid?
- ▶ Will I be compensated for my injuries?
- ▶ What if I don’t make a full recovery and cannot return to my former work?
- ▶ What will the insurance company offer me for my personal injuries?
- ▶ How will I know that the insurance settlement is fair for my injuries?
- ▶ How will I know that the attorney I’ve chosen to represent my case is a competent attorney and will know what to do?

To learn more including the 7 Deadly Mistakes to Avoid if You are Hurt at Work order a copy of my **FREE Book** entitled “Iowa Workers’ Compensation- An Insider’s Guide to Work Injuries”. ***Why offer a Free Book?*** I have represented hundreds of Iowans hurt at work and have seen too many clients make mistakes before they had the “right” information resulting in them losing thousands of dollars. **Finally**, you can learn about work injuries in the comfort of your own home with no risk or obligation. However, quantities are limited so to learn how to **avoid costly mistakes** and **your rights** **Call Now** (800)-850-6617, ext. 511 (24 Hour Message) or go to www.IowaWorkInjury.com.