

# WINNING YOUR CASE

**21** Questions You **MUST ASK**  
Before Hiring a Lawyer

**PLUS 22 BONUS QUESTIONS!**



All proceeds from the sale of this book go to  
**The Justice for Children Foundation, Inc.**

<http://www.HeadsinHelmets.com>

**COPYRIGHT © 2016**

**By Howard E. Spiva**

All rights reserved. All images, photos, slogans and logos have trademarks and copyrights and no part of this book may be used or reproduced in any manner whatsoever without the prior written permission of the Justice For Children Foundation, Inc. and attorney Howard E. Spiva.

Although every precaution has been used in the preparation of this book, the author assumes no responsibility for errors or omissions. Nor is any liability assumed for damages resulting from the use of the information contained herein.

**Never Settle for Less Publications**  
**P.O. Box 61678**  
**Savannah, Georgia 31420**

ISBN-10: 1517773717  
ISBN-13: 978-1517773717

# TABLE OF CONTENTS

<b>Acknowledgements</b> .....	5
<b>PREFACE: A Note from Howard Spiva</b> .....	6
<b>INTRODUCTION: Hiring the Right Lawyer</b> .....	9
<b>CHAPTER 1: 21 “Must Ask” Questions</b> .....	15
<b>CHAPTER 2: 22 Bonus Questions!</b> .....	18
<b>CHAPTER 3: 21 Answers by Spiva Law</b> .....	21
<i>Client Service Ratings</i> .....	35
<b>CHAPTER 4: 22 Bonus Answers!</b> .....	41
<i>Technology and Cutting Edge</i> .....	44
<i>Over \$300 Million Recovered</i> .....	58
<i>Community Involvement</i> .....	59
<i>Awards and Recognition</i> .....	63
<b>CHAPTER 5: Serious Injury Questions</b> .....	72
<b>CHAPTER 6: Trucking Case Questions</b> .....	76
<b>APPENDIX A: Martindale-Hubbell Ratings</b> .....	79
<b>APPENDIX B: State Bar of Georgia Rules</b> .....	83
<b>APPENDIX C: Avvo.com Peer Endorsements</b> .....	93
<b>APPENDIX D: AAJ Honors Howard Spiva</b> .....	120
<b>DEDICATION: Helmets For LIFE!</b> .....	123

## ONLINE RESOURCES

**Spiva Law Group Trial Lawyers –**  
<http://www.spivalaw.com>

**Spiva Law Videos –** <http://spivalaw.com/videos/>

**Trial Lawyers Care –**  
<http://12unlimited.com/lawyers-care.html>

**Free Safety App –** <http://www.SpivaLawApp.com>

**Spiva Law on AVVO –**  
<http://www.avvo.com/attorneys/31406-ga-howard-spiva-503484.html>



"The more you help others, the better your own life and the whole world becomes."

*Howard Spiva*

**The Justice for Children Foundation –**  
**Heads In Helmets –** <http://HeadsinHelmets.com>

**Charity Events App –** <http://www.Helmetsapp.com>

**Facebook –**  
<https://www.facebook.com/howard.spiva>

**Twitter –** <http://twitter.com/spivalawgroup>

# Acknowledgements

I would like to thank all of our attorneys for their commitment to clients – our support staff (the Super Team) for their ongoing dedication to our firm – and my partners for their tireless efforts.



**Our Attorneys:** William “Clay” Porter II, Katherine Lewis, George Lewis, Howard Spiva, C. Clay Davis, Peter Ruden, Mary Hashemi, Kaitlyn E. Sayne, and Christie Register.

I would also like to thank Patrick Anderson, Eric Rogers, and Maggie Doberstein for their inspiration, and late night perspiration – working day and night to get ‘er done!

**And special thanks to Kelly, my lovely wife and soul-mate who I cherish beyond words! – Howard Spiva**



## PREFACE

# A Note from Howard Spiva

***I wrote this guide so you could learn to ask the hard questions and get ALL the answers you need to make an informed, knowledgeable decision and have the confidence to HIRE THE RIGHT LAWYER!***

I have been a trial lawyer for over 30 years and I know how difficult it can be for clients to distinguish the difference between lawyers and law firms.

There are so many attorneys on television, the radio, in the phone book, on billboards and the Internet. How do you know who to hire? Who is better? Who is the best choice for you?

The yellow pages are no help. Searching through Google is a waste of time. Filling out online forms is a shot in the dark. And forget about radio and TV commercials.

What makes the task even harder is that many state Bar Associations have professional regulations that prohibit lawyers from making statements or claims that they are better or superior to any other lawyer.

That means the best and brightest, most capable lawyers are not allowed to tell you they have more experience and are better prepared to negotiate a settlement or win your case at trial – UNLESS YOU ASK THE RIGHT QUESTIONS!

***If you are facing an emergency RIGHT NOW where you or a family member have been injured by a third party – through no fault of your own – then the following short list of 12 questions is for you:***

# 12 Most Important Things to Know About Your Personal Injury Lawyer (In A Serious Or Catastrophic Injury Case)

- 1) Does the lawyer have an AV rating by Martin Dale Hubbell (Judges and Lawyers)?
- 2) Does the lawyer have a 10 Rating by **Avvo.com** (Online rating service)?
- 3) Has the lawyer received a Super Lawyer award (no more than 5% of Georgia attorneys are selected)?
- 4) Does the lawyer only handle injury cases?
- 5) Does the lawyer have jury verdicts in the millions of dollars? What are their 3 highest verdicts?
- 6) Does the lawyer carry insurance?
- 7) Does the lawyer actually practice law – or do they simply advertise and refer out your case?
- 8) Has the lawyer been invited to speak at lawyer conferences?
- 9) Has the lawyer published books, articles and blogs on the subject of your case?
- 10) Is the lawyer admitted to practice in Superior and Federal Courts?
- 11) Has the lawyer ever handled a case on Appeal?
- 12) Does the law firm have attorneys handling the case and not just assistants and claims managers?

Get the answers to the 21 questions in this guide and you will quickly find out who is an experienced trial lawyer and who has the proven ability to win your case.

***That is what this guide does for you... it spells out the 21 questions you MUST ask in order to make sure you are hiring the right lawyer for your case!***

**TRIAL LAWYERS CARE**

*Three Years as a Member of the Trial Lawyers Care Committee*

*Founder of the Justice for Children Foundation*

*Martindale/Hubbell's Highest Legal/Ethical Rating*

*Member of the Savannah Trial Lawyers Association*

1984 **32nd** 2016  
ANNIVERSARY  
SPIVA LAW GROUP

**HOWARD E. SPIVA**  
ATTORNEY AT LAW

**Please feel free to call me anytime.**

*Howard Spiva*

**(912) 920-2000**



## INTRODUCTION

# Hiring the Right Lawyer

One thing you may not know is that many lawyers who advertise on TV don't have any courtroom experience. They may advertise for personal injury, car wrecks, traumatic brain injuries, claims involving children, trucking cases, or maritime cases – but they really don't have experience in those areas of the law, and even if they do, most of their experience will be in settling cases, and sometimes for just pennies on the dollar.

Insurance companies know who those inexperienced lawyers are and they KNOW they will settle without going to court. They know that most lawyers don't have the resources or the war chest or the bank roll to afford the cost of hiring experts and enduring the work, the time and the expenses. They don't have on-staff investigators. They don't have experts who they can call on to help prepare to prosecute the case or to counter a defense and to stand strong against the other side.

They don't have the experience and do not know how to be prepared for technical cases involving 18 wheelers and tractor trailers or industrial work sites or understand the dangers and rules including The Occupational Safety and Health Administration (OSHA) rules and regulations for the safe operations of forklifts or backhoes or what records to look for.

They don't have expertise and knowledge of interstate or intrastate trucking rules and federal motor carrier regulations. They don't have experience with life care planners or vocational rehab suppliers or medical illustrations or economists.

***A lawsuit is like a war and many lawyers don't have the experience or the resources or the money or the courage or the skills to go out and recover for you.***

If you hire the wrong lawyer, the opposing counsel for the insurance company may treat your case like it is a joke. If you hire the wrong lawyer, your recovery is going to decrease by as much as tenfold.



"If you hire the wrong lawyer, you may lose ...and get absolutely nothing!"

*Howard Spiva*

If you hire the wrong lawyer, you may not have someone who is willing to go the distance and to stand up for you before the judge and the jury and ask for a fair recovery for you and your family. This is particularly true for people who have been catastrophically injured and deserve a full recovery for their harms and losses. In order for an attorney to be able to stand in front of a jury and ask for millions of dollars with a straight face, they must have confidence and be competent.

If you don't get the full recovery possible then the at-fault party, the defendant, and the insurance companies don't end up paying for your medical bills. You end up having to pay for everything out-of-pocket, subsequently draining your savings, or having your medical bills paid through Medicaid or Medicare (so the general public will have to pay for it) – or you don't get the treatment at all.

**The at-fault party, the defendant and the insurance company should pay for your damages and medical bills – NOT YOU!**

If you don't hire the right lawyer, you could end up having a case dragging on for years and take ten times as long because they don't know how to push the case. They don't know how to get into the court room. They don't know how to get before a jury. And if you don't have the right lawyer, the insurance company isn't going to be concerned that you're going to get a big jury verdict and a judgment against them.

***It's like hiring a soldier that doesn't have a gun... the other side isn't going to be afraid, they aren't going to pay a fair settlement.***

If it's a criminal case and you've hired the wrong lawyer, you may be an innocent person that ends up going to jail. If you are going through a divorce and you've hired the wrong lawyer, your spouse may get custody or get the bulk of your assets. If you are purchasing real estate and you've hired the wrong lawyer you may not get the right title insurance, the right disclosures, or the right surveys done. If you've got a worker's compensation claim, you might not get all of your benefits or your full disability. If it's a social security claim, you may not get all of your past benefits.

Just because a lawyer has experience with a car wreck doesn't mean he knows what to do in a tractor trailer case with duplicate log books, black boxes, catastrophic injuries, and federal motor carrier regulations. Just because he settles a tractor trailer claim doesn't mean he knows how to pierce the corporate veil and find all the available insurance.

Is there under-insured coverage? Is there an umbrella policy? Is it covered under the family purpose doctrine? Is the wreck within the scope and course of the defendant's employment? Is it a negligent hiring and retention claim?

Just because an attorney advertises that they handle injury cases doesn't mean he or she knows how to recognize a traumatic brain injury – especially if it's seemingly mild and goes undiagnosed in the emergency room. Emergency room personnel are concerned with acute and urgent matters. Often hidden or lesser injuries are not recognized in that busy environment.

If your attorney doesn't have the connections, they won't know how to hire the right experts. If they don't have the money, they can't afford the right experts. If they don't have experience with claimants who are uninsured, they can't get you the medical treatments, diagnostic testing and long term care that you need, including surgery.

There are so many land mines out there; that if you don't know the correct answers to the 21 questions in this guide, you are going to constantly worry about the lawyer you hired. Do they understand the extent of your injuries? Can they make a case for the compensation you require? Will they demand justice and stop at nothing to get you the financial recovery that you need?

A lawyer has to know the law, and they have to know about liability so they can win the case. They have to know about damages, they have to know about medical procedures, and they have to know about maintenance and proper use of the equipment or vehicle that caused the injury.

Just because a lawyer has accepted an insurance settlement offer on a simple car wreck doesn't mean he's prepared to investigate, depose witnesses, gather expert testimony, and prove liability in a complicated case like where a forklift crushes a man to death. Just because he had a forklift case doesn't mean he knows the regulations of backup alarms on a backhoe.

There is so much procedural, technical, medical, and legal knowledge necessary to become an experienced personal injury trial lawyer, you can't just rely on some silly TV commercial for your future, for your life, and for your family.

**Did you know that insurance companies keep histories and track records on lawyers?** When they pick up the phone they know all the stats on your lawyer. They know what kind of results they have gotten. They keep records of settlements they have paid out to him/her before. There are records of what he's been paid by other insurance companies. They know what his jury verdicts are... and they rate these lawyers.

If they get some C level lawyer who has never gotten a sizable recovery or if the lawyer has no rating such as a Martindale Hubbell Peer Review, or an Avvo rating, or never recovered a jury verdict – then they may think that this lawyer is inexperienced and not respect them!

In negotiating a fair recovery you must have a strong legal team with a reputation for winning cases with sizable jury verdicts. If an insurance adjuster knows that they have two choices, either 1) pay you the maximum amount of money, or 2) go to trial and get their butts kicked – then they're going to pay the maximum amount of money. But if they know that your lawyer has no trial experience, and they have never selected a jury or won a case... and if they know your lawyer has no funds to bring in experts, then they are not going to pay you top dollar – they are going to pay you pennies on the dollar.

And you are going to be shorted – but you will never know that! All you know is that you are going to walk away with what you thought was a fair amount of money – which quickly runs out. And then you have no

money to replace your lost income. You have no money to pay your medical bills. You have no money for your education and your kids' education. You'll end up like 95% of all people that win a lawsuit, win a lottery, or inherit money. If your payout is not properly structured, you'll end up broke within 12 to 18 months.

Once the case is over, does your lawyer know how to handle subrogation and rights of reimbursement? Do they know how to set up annuities and structures which guarantee the future payments? Do they guide you to get a Structured Settlement so that your money grows tax free and is protected from other people?

There are so many things that a lawyer must be able to do – negotiating the case, proving liability, being a threat to the other side, being able to get justice, and being able to help once you win the case.

***That is why you MUST ask all of the 21 questions that are listed in the next chapter.***

***Then continue into the following chapters to read the answers you should expect to receive from an experienced trial lawyer.***



Howard is one of those lawyers who really, really "gets it." He'll give you the information you need to make a great decision about (1) whether to hire an attorney, and (2) how to get the best result for you in your case if you do hire him. I'd highly recommend that you chat with him before making your hiring decision.

[Benjamin Glass](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Fairfax, VA

## 21 “Must Ask” Questions

**NOTE:** *The answers to these important questions will let you know whom you DO NOT want to hire!*

### **The Lawyer’s Expertise and Reputation**

- 1) Does your law firm have a rating by Martindale-Hubbell or <http://www.AVVO.com>?
- 2) What are the qualifications and experiences of the people (both attorneys and non-attorneys) assigned to handle day-to-day duties of my case at your office?
- 3) How many different types of cases do you handle? Do you limit the type of cases that you handle, or focus or specialize in an area of the law?
- 4) Do you try lawsuits or do you refer all your cases to other law firms or attorneys for trials?
- 5) Have you ever been sued for legal malpractice by a client?
- 6) Do you carry errors and omission or malpractice insurance?
- 7) Have you ever been disciplined by any state bar?

### **Experience in my type of case**

- 8) How much experience do you or your firm have in representing people that need a lawyer for \_\_\_\_\_?

(a divorce, a speeding ticket, filing bankruptcy, a personal injury, workers compensation, etc.)

9) Do you write articles, seminar papers, or blogs on my type of case? If yes, where can I read them or get a copy?

10) Have you published any books on the subject of my case?

11) Do you commonly speak at lawyer seminars or teach other lawyers on the subject of my case?

***WARNING: Many TV lawyers don't handle cases. They broker or refer out some or all of their cases. Here are some questions to flush them out:***

12) How many offices do you have?

13) How many attorneys are in each office? (a small office with only one attorney in your city is a red flag.)

14) Who works out of your local office in my city? (Attorneys? Staff?)

15) What office do you work out of?

16) What city do you live in?

Does the lawyer you are hiring live in your city or even your state?

**NOTE:** This is important for several reasons. Lawyers often know the rules and habits of local judges; understand the attitudes and politics of the local area. For example, you may be suing the local areas largest employer or hospital. It is important to know folks' feelings on potential defendants or companies.



## **Geographical Area**

17) Are you admitted in the state and superior courts in the city and county where I live? Or admitted where the defendant or other party lives? (This is important because most lawsuits have to be filed where the person you are suing lives or if the defendant is a corporation, the location of their registered agent or corporate office.) Defendants select the county where they think they stand the best chance of winning a jury trial.

## **Higher Courts**

18) If this case requires a suit in Federal court are you licensed or admitted to practice in that district? How long have you been sworn in? How many cases have you tried in Federal court? (**NOTE:** Cases often required to be filed in Federal court are cases with out of state defendants such as pharmaceutical companies or automobile and tire manufacturers. Many lawyers are not members of Federal court.)

19) If my case were needed to go on an appeal are you sworn into the Appeals Court or the Supreme Court of your State?

## **Professionalism and Professional Recognition**

20) Are you a member or officer in any legal professional organizations?

## **Client Service**

21) Do you have report cards or ratings by your former clients? If yes, may I see them?

## 22 Bonus Questions!

**If you need more information about a law firm, we have added these 22 extra questions to help you:**

### **Communications**

22) If I need to ask a question or need to speak with someone, will I have a point of contact with your office?

23) Will you copy me with everything you do on my case and if so, by mail or email?

24) Which staff members will work on my case?

25) Who at your office (both attorneys and non-attorneys) will communicate with the insurance company for my case?

26) Who at your office (both attorneys and non-attorneys) will be in charge of settling my case? (You do not want a non-lawyer making important decisions for you.)

27) Will I have input before my case is settled?

28) If a client's case goes into a suit, does he or she get invited to attend the depositions?

29) If you do not handle my type of case, will you help me find a lawyer who handles it? Do you charge me a fee or do you receive a referral fee from the other attorney?

## **Technology**

30) Is technology important to you and why?

31) Do you video record all of your depositions?

32) Does your firm have an interactive smart phone app?

33) Does your law firm provide seriously injured clients with a tablet or iPad to help clients?

## **Settlement**

34) Do you prepare demand letters or do you use a settlement evaluation package?

35) What normally is included in a settlement package?

36) Is it bound and tabbed like a book or does your settlement or mediation package include videos supporting my claim?

## **Results**

37) What are your 3 highest jury verdicts?

38) What are your 3 highest settlements?

39) If my case results in a jury verdict or recovery or settlement that needs to provide for my future or my children's future, can you explain or advise me or refer me to someone on:

(a) Annuities?

(b) How to rate life insurance and annuity companies?

(c) Structured settlements?

(d) Trusts?

(e) Medicare set aside trust?

(f) Trust companies and bankers who specialize in clients who are injury victims?

## **Community Activities**

40) Is your law firm involved in any community activities?

41) Please give an example of your community involvement.

42) Has your firm been recognized by any awards?

## **Improper Behavior by an Attorney**

43) Do you contact clients who have been in a wreck and should a lawyer be soliciting or contacting me after a car wreck?

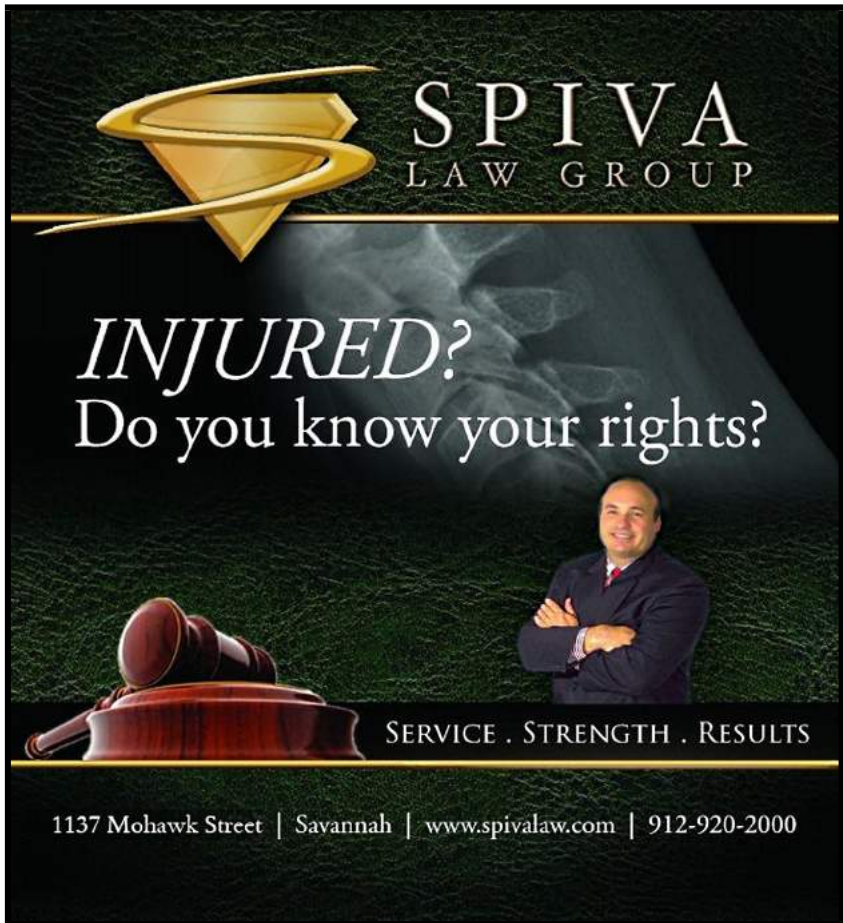


CHAPTER THREE

## 21 Answers by Spiva Law

For answers to these 21 questions by the **Spiva Law Group** please see the following pages.

**Answers by Spiva Law Group are in Green.**



**SPIVA**  
LAW GROUP

*INJURED?*  
Do you know your rights?

SERVICE . STRENGTH . RESULTS

1137 Mohawk Street | Savannah | [www.spivalaw.com](http://www.spivalaw.com) | 912-920-2000

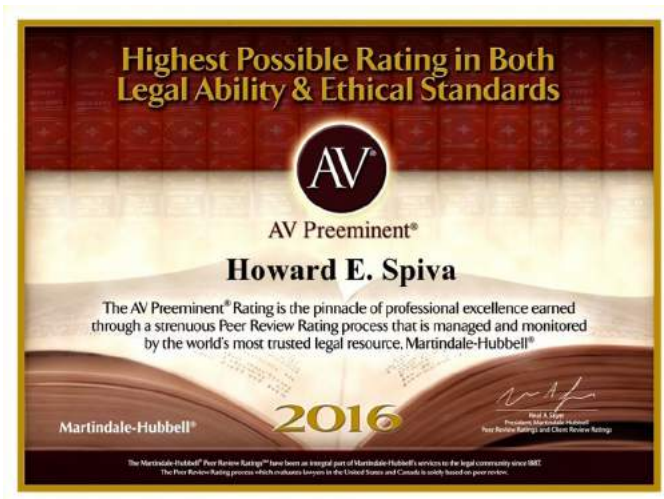
## Expertise and Reputation

1) Does your law firm have a "rating" by Martindale-Hubbell or AVVO.com?

Yes. We are rated by both and we have the highest rating possible on each one.

### **For Martindale-Hubbell® Peer Review Ratings™ see Appendix “A”**

**Howard Spiva has the Highest Possible AV® Preeminent Peer Review Rating For Legal Ability and Ethical Standards from Martindale Hubbard.**



On Martindale-Hubbell, Howard enjoys the highest rating of AV®. This is a Peer Review Rating of the highest level of professional excellence ("AV") in both legal professional ability and ethical standards given by the Martindale-Hubbell Law Directory.\*

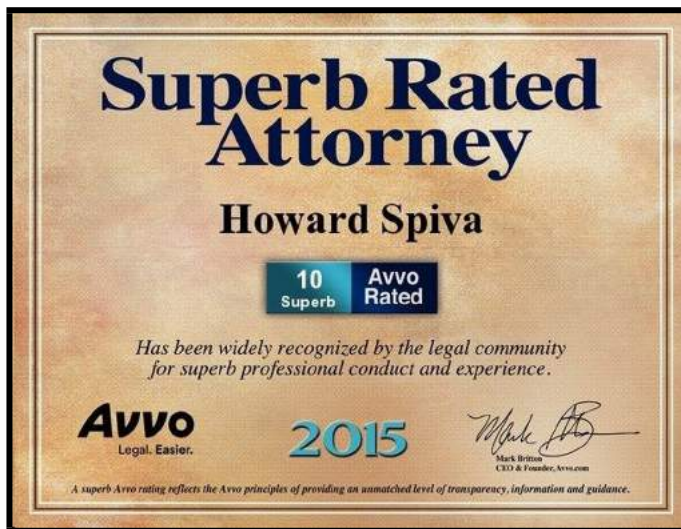
Lawyers are confidentially evaluated and rated by Judges and reviewed by peers on the Martindale-

Hubbell Law Directory. Before you hire a lawyer or if a lawyer is on the other side of a case, you can look up their rating.

\* Lawyer ratings and evaluations are based on confidential opinions and peer evaluation by members of the Bar and the Judiciary. The ratings include over one million lawyers in 160 countries and only approx. 21% have an AV rating. An AV rating shows that a lawyer has reached the height of professional excellence. He or she has usually practiced law for many years, and is recognized for the highest levels of skill and integrity.

**AVVO, is an online lawyer rating service.**

**Howard Spiva has a “Superb Rating of 10”**



AVVO, a leading International Attorney community and directory, has ranked The Spiva Law Group with the highest possible endorsement: 10 out of 10. This is a prestigious honor and speaks volumes about the Spiva Law Group's service to their clients and community.

If you are reading this book in an e-book format, you can click the AVVO endorsement logo below to see Howard Spiva's AVVO profile and official ranking.



**We are proud of what other lawyers say about us!**

**See what 105+ lawyers say about us in their endorsements on <http://www.AVVO.com>**

The AVVO Peer Endorsements show Howard Spiva and the Spiva Law Group are endorsed by over 105 lawyers.

**For Peer Endorsements see Appendix “C”**

2) What are the qualifications and experiences of the people (both attorneys and non-attorneys) assigned to handle day-to-day duties of my case at your office?

We have 9 attorneys. Our paralegals have many years of experience; each has a minimum 10 years of experience and they either have a law degree (J.D.) or a paralegal or other college degree.



3) How many different types of cases do you handle? Do you limit the number of cases or the type of cases you handle? or do you focus or specialize in an area of the law?

Yes, we only handle traumatic injury cases. Our Practice is limited to clients who have suffered serious, catastrophic and crippling injuries.



**SPIVA**  
LAW GROUP

- Admiralty / Maritime
- Amputation Injuries
- Brain Injuries
- Car Wrecks
- Children's Injuries
- Industrial Site Injuries
- Longshoreman Injuries
- Mesothelioma Cancer
- Orthopedic Injuries
- Spinal Injuries
- Trucking Wreck Cases
- Waterway Injuries
- Worker's Compensation
- Wrongful Death

Since 1984, for over 30 years, we have had the honor and privilege of helping people and families who have suffered catastrophic injuries and wrongful deaths to recover for their harms and losses.

Howard is often referred to as **“The Kid’s Lawyer”** because of his work with The Justice For Children Foundation, his generous donations of helmets to the Children’s Charity <http://www.HeadsinHelmets.com>, and because so many of his cases involve children.

At the Spiva Law Group, our practice is devoted 100% to injury law. We represent individuals, not large corporations or insurance companies.

At our firm, we employ 9 attorneys and 10 staff members, plus a full-time private investigator.

The Spiva Law Group has a great group of individuals who together to make a winning team! We are very proud of the work we do for those whose lives have been turned upside down by injuries and disabilities.

You really need a specialist when you have been injured on the job. We focus only on injury cases. You are letting the insurance companies know that you are not going to be a victim twice.

The Spiva Law Group also has the resources to hire the necessary experts to fight the big insurance companies with their money and experts. This is very important because you want to be able to go head on with the insurance companies on a level playing field.

We pride ourselves in giving top quality legal service along with exceptional client service.

We continue to push the other side along to achieve the most favorable outcome for our clients. Like our slogan says, "Service Strength Results. Never settle for less."



We investigate your personal injury case and push your legal matter forward as quickly as possible without taking shortcuts or giving up on the quality of work product.

We believe the harder we push your case against the other side, the better chance we have of getting you a result that you will be satisfied with.

**Never Settle For Less!**  
**We make it happen, by putting you first.**



4) Do you try lawsuits or do you refer all your cases to other firms for trials?

We litigate cases and go to trial if the defendant won't pay a fair amount; and we have done so since 1984. Occasionally, on our out-of-state cases or cases involving medical negligence, we may associate with another law firm to help on your case; this is for strategic reasons. It doesn't cost you any extra fees to have additional lawyers on your case.

Many law firms refer cases to us and associate us to help them on big cases. At the time of writing this book, we were hired this week by two out of state law firms.

A Florida firm hired us on a Traumatic Brain injury and a North Carolina firm had us on a Wrongful Death case.

The purpose of a lawsuit is to make the at-fault party, who is responsible for the injury or damages, “financially accountable” and not put the burden or costs on the family or the tax payer.

5) Have you ever been sued for legal malpractice by a client?

Never.

6) Do you carry errors and omission or malpractice insurance?

Yes. We have maintained our policy every year since 1984. We have never been sued by a client.

7) Have you ever been disciplined by any state bar?

Never.

### **Experience in my type of case**

8) How much experience do you or your firm have in representing people that need a lawyer for \_\_\_\_\_? (a divorce, a speeding ticket, filing bankruptcy, a personal injury, workers compensation, etc.)

I have handled personal injury cases since 1984. Our practice is limited to wrongful death cases, traumatic brain injuries, and cases where clients have suffered serious, catastrophic, and crippling injuries.

9) Do you write articles, seminar papers or blogs on my type of case? Where can I read them or get a copy?

Yes. Howard Spiva educates the public and shares his knowledge with fellow attorneys. He has:

- Written hundreds of articles and blogs.
- Spoken at over 200 seminars, teaching thousands of people in several states.
- Appeared on more than 100 radio and TV shows.
- Hosted a cable show, Savannah Law Talk for a year.
- Hosted a live talk radio show "Never Settle for Less" for over 3 years. (Inspirational, fun & informative show on how to become "Healthy Wealthy & Wiser")
- Practiced as a trial lawyer since 1984, over 30 years, appeared in hundreds of court cases and jury trials.

**You can read Howard Spiva's blog at:**

**<http://spivalaw.com/blog/>**

10) Have you published any books on the subject of my case?

Yes, Howard has written a number of "Client Guides" on personal injury cases in Georgia.

11) Do you commonly speak at lawyer seminars or teach other lawyers on the subject of my case?

Yes. Howard Spiva has spoken at over 200 conferences to thousands of attendees all over the country.

**WARNING: Many TV lawyers don't handle cases. They broker or refer out some or all of their cases. Here are some questions to flush them out:**

12) How many offices do you have?

One, in Savannah, Georgia.

13) How many attorneys are in each office?

Nine.

14) Who works out of your local office in my city?  
(attorneys? staff?)

All of our attorneys and staff are here in Savannah, Ga.

15) What office do you work out of?

Savannah, Georgia.

16) What city do *you* live in?

Savannah, Georgia.

**NOTE:** This is important for several reasons. Lawyers often know the rules and habits of local judges and understand the politics of the local area. For example, you may be suing the local area's largest employer or hospital. It is important to know local folks feelings and opinions on potential defendants or companies.

### **Geographical area**

17) Are you licensed or admitted to practice law in the State and Superior Courts in the city and county where I live?

Or admitted to practice law where the defendant or the other party lives? (This is important because most lawsuits have to be filed where the person you are suing lives.)

Howard Spiva, since 1984, and all of our attorneys are admitted to the Superior Court in Savannah, Chatham County, Georgia and to all Georgia Courts. We are admitted in Federal District Court for the Southern District of GA.



## **COURT MEMBERSHIPS**

Superior Court of Chatham County  
State and Superior Courts in Georgia  
Court of Appeals of State of Georgia  
Supreme Court of the State of Georgia  
U.S. Court of Appeals for 11th Circuit  
U.S. District Court for the Southern District of Georgia

18) If this case requires a suit in Federal court, are you admitted to practice in that district and for how long have you been sworn in? How many cases have you tried in Federal court? (**NOTE:** Cases often required to be filed in Federal court are cases with out-of-state defendants such as pharmaceutical companies or automobile and tire manufacturers. Many lawyers are not members of Federal court.)

Yes, Howard Spiva is an active member of the United State Federal District Court since 1987. Please see the answer to #17 for a more complete answer.

19) If my case were needed to go on an appeal are you sworn into the appeals court or the Supreme Court?

Yes, Howard Spiva is an active member of the Georgia Supreme Court and The Georgia Court of Appeals since 1989. Please see the complete answer to #17.

## **Professionalism and Professional Recognition**

20) Are you a member or officer in any professional law organizations?

Yes. Howard Spiva has held the following memberships and officer positions:

### **PROFESSIONAL MEMBERSHIPS**



#### **American Association for Justice (formerly American Trial Lawyers Association)**

Served on Trial Lawyers Care Committee 2013-2015  
1984 to Present



**American Bar Association** 1984 to present

#### **The Southern Trial Lawyers Association**

President 2006 - 2007

Vice President 2004 - 2005

Officer- Treasurer 2003 - 2004

Officer- Secretary 2002 - 2003

Officer- Parliamentarian 2001- 2002

Board of Governors 1997 to present

Member 1995 to present

#### **Savannah Trial Lawyers Association**

President 1998 to 1999

President Elect 1997

Public relations Committee 1997

Vice President 1996

Secretary/Treasurer 1995

Member 1988 present



**Savannah Bar Association** 1984 to present  
Public relations Committee 1997/98  
Executive Committee Board 1999/2000

**Georgia Trial Lawyers Association**

"Life Member" 1997 to present  
Champion Member 2014  
Regional Vice President 1995 - 2000  
Education Committee 2000 - 2001  
Ethics Committee member 1999 - 2000  
Workers' Compensation Claimant lawyers  
(Executive Committee) 1987  
Member 1984 – present



**Georgia Bar Association**

Statewide Speakers Bureau 2000  
Chairman of Public Affairs Committee 1997  
Younger Lawyers Section High School Mock Trial  
Committee 1994  
Younger Lawyers Section Law Day & Liberty Bell  
Committee 1994  
Younger Lawyers Section Law School Forums and  
Placement Committee 1994  
Member 1984 – present

## **Georgia Civil Justice Foundation**

Savannah Regional Chairman 1995 to 1999

## **Georgia Consumer Justice Foundation**

Member 2003

## **Million Dollar Advocates Forum**

2003 to present

2500 Certified Members

Only 35 Members in Georgia



## **The Brain Injury Association**

**(National Head Injury Foundation)**

Member 1995

## **The Traumatic Brain Injury Litigation Group**

1995 to present

## **Melvin Belli Society Member**

2002 to present

## **Client Service**

21) Do you have report cards or ratings by your former clients? May I see them?

Yes, we have a notebook in our front reception area, for all to see, where past clients have completed report cards and graded us, like in school, with A through F.

We have almost all straight A's since 1984! Below are some comments from former clients:

<http://www.avvo.com/attorneys/31419-ga-howard-piva-503484/reviews.html>

## Client Service Ratings

**Construction site injury:** “I may never be able to return to my prior employment or physical activities. However, my family, my home, my finances, and my children’s college is now taken care of.”

**\$4 million dollar recovery**

**Hospital Malpractice Case:** “Going to Court is no fun, having the in office courtroom to get over my nervousness and the war wagon at trial to rest in and have privacy made all the difference.”

**\$6.5 million dollars (Chatham County)**

“I was only days from my statute running out. The company that injured me had filed for bankruptcy. Mr. Spiva believed in me and his whole team went to work.”

**\$2.3 million dollar recovery (Brunswick County)**

**Car wreck victim:** “The defendants were uninsured. My insurance company refused to pay. The Spiva Law Group took my case to the Supreme Court. Finally I had my day in court and a jury returned a just verdict.”

**\$1.02 million judgement (Bulloch County)**

“My child was injured and her grades were affected. She may have a hard time with life due to her injuries, however paying for college, her first car, her first home, or her living expenses won’t be a future concern.”

**\$1.3 million dollar recovery (Chatham County)**

**Roller Coaster injury:** “I was injured at an amusement park. The emergency room sent me home. During the in home consultation the law firm’s nurse recognized the symptoms of a brain bleed and sent me to a different hospital. Hiring this law firm probably saved my life.”

**\$1.4 million structured recovery (Chatham County)**

## **Came in like a wrecking ball...**

“I am a mother of six, with one handicapped child. I worked and was a full time student. Everything came to a halt with my incident. I suffered from a head injury, severe concussion, and three bulging discs. Mr. Spiva settled my case quickly and settled it for the maximum.

Mr. Spiva is the best attorney in this area. My husband called him from the hospital, and Howard and his team came straight up. They came in professional but what stood out most was their kindness and ability to ease your mind right THEN.

This incident left me with no knowledge of my schooling and unable to physically take care of my daughter or work. I was so mad and out of my head with confusion from the concussion that I felt frantic and afraid.

I was assigned Peter as my case manager. Peter made all of my problems solvable. He found me help, he found me doctors, he listened to me when I was crying and calmed my every worry. I cannot say enough about Mr. Spiva and his staff. I always felt important, from Maggie the receptionist on up to Mr. Spiva himself. They make you feel like you are their only client.

I am so very sorry that you need an attorney but I can say with every confidence that you have found the man you need in your corner. You will not regret your decision, but the person that hurt you will.

I am so very grateful for his handling my case. He is one of the smartest men I have met in his business, backed by a staff that admire him. He took my worries and stress away the first time I met him.

~Posted by Mary

## **They took care of EVERYTHING!**

“In August of 2009 my life was forever changed. I had been hit by a drunk driver. She had no regard for her life much less anyone else on the road that day. But there was one person whom I was very fortunate enough to know – Howard Spiva and his team.

They are real down-to-earth people. They truly have compassion and a complete personal understanding of someone not having any regard for human life.

One of the things that impressed me the most was no matter how busy they were they always made me feel that my case was just as important as any other and made me feel so welcome just like family. I never imagined that I would have to hire a law firm and take action against someone. But trust a happy client!

You cannot go wrong when you put your trust into the hands of people who take care of EVERYTHING.

The whole experience was not something I would ever want to go through again however I will always turn to a Great Team ...that will go to war for you if need be. I am sincerely very happy with the way things turned out!”

~Martha Ann

## **Community Leadership**

“I have admired Howard Spiva's Leadership in the community for more than 10 years. I've listened to his radio talk show, read his advertisements, followed his postings and heard others speak of his Integrity. I've taught 51,000 students in my Insurance School and have great respect for the 400 or so Attorneys that have attended my classes.

Mr. Spiva continues to stand out in my opinion. He reminds me of Savannah's modern day Atticus Finch, from *To Kill a Mockingbird*. I keep seeing where he is helping the community, not only in a court of law but in many behind the scenes areas that create so many positive minded attitudes in his clients and in the public's eyes. He's a Leader and I would want him for my Legal Counsel whenever possible.”

~Posted by Thom Brooks

### **A lawyer who is also your friend!**

“Mr. Spiva is an uncharacteristically open and honest attorney, providing all the possible outcomes to a client. The positive and negative aspects of the situation are thoroughly discussed in layman's terms so one clearly understands the legal ramifications of the situation.

We never wait days for call backs and are never lost in voice mail hell; he and his staff are cheerfully willing to talk to us, answer questions (sometimes over and over until we understand) and keep us aware of the progress. Because our case is quite complicated involving several states and several employers, it is good to have someone with reciprocal law firms in other cities who work with him and his clients in the same thorough manner.

There are no monetary promises made; but his promise to give you the best possible representation available is a promise you can take to the bank. He and his team do everything to see that you are made whole – physically if possible no matter the cost, and financially too, no matter the obstacles. They are truly PEOPLE representing PEOPLE.... and you feel equal to them in every way. They never talk DOWN to you or try to impress or confuse you with legal jargon and mumbo jumbo. I would highly recommend Howard Spiva and

his team to anyone suffering a catastrophic injury who thinks they need legal representation.”

~Posted by Virginia, a Workers Compensation client

### **Personal Injury**

“Howard is very a caring and informative lawyer. His staff is very friendly and cares for your needs. I have used Howard for the past 2 years and if I need a lawyer again I would certainly call on him. It’s smart to hire Howard Spiva.”

~Posted by a Personal Injury client,

### **Wrongful death**

“I've enjoyed working with Howard for the past 10 months. He is very knowledgeable, personable and I appreciate that he keeps me updated on the case. I also like the fact that he is ready to keep fighting for us. Last, but not least what also makes him great is that he has a fantastic team.”

~Posted by the family of a Wrongful Death client

### **Securities/Investment Fraud Matter**

“I was impressed with Howard Spiva's dedication to my case. It was a complicated case that required a lot of knowledge as well as research and tenacity. He has a strong sense of fairness and reason. Hiring Mr. Spiva was the smartest thing I could have done.”

~Posted by Investment Fraud client

## **Best Law Firm in the state of Georgia**

“I hired Howard Spiva and his associates after an injury that left me unable to work, and somewhat unable to care for myself. Howard and all members of his Spiva Law Group have done a GREAT job on my behalf, and I consider them not only my legal representatives, but good friends as well.

You can count on Howard Spiva and his staff to go above and beyond what is expected, and they keep a positive attitude at all times. They answer all questions, and never give up until they've won on your behalf. In a word, they're GREAT.”

~Posted by Richard, a Personal Injury client

## **Truly Cares**

“Howard Spiva and his entire staff are amazing! They are extremely compassionate! Howard is very knowledgeable and truly cares about his clients from the first time he meets you until the end of time!

He has a lot of experience with different types of cases and will fight for you with every fiber of his being!!!”

~Posted by Wendy Dockray





## 22 Bonus Answers!

For Bonus Answers by the [Spiva Law Group](#) please read the following pages:

**Answers by Spiva Law Group are in Green.**



## **Client Customer Service**

22) If I need to ask a question or need to speak with someone, will I have a point of contact with your office?

Absolutely! Our mission is to provide superior and world-class client service. Every client is assigned at least two attorneys and a legal assistant or a paralegal. We also have a client customer service person on staff. We appreciate your business. Providing you with quality service and great results is our only goal.

### **OUR CLIENT CUSTOMER SERVICE CONCIERGE:**

The receptionist in our office leads the firm's mission to provide superior and world class client service to all of the firm's clients. She provides top-shelf service from the first phone contact until the closing of the case. With her warm personality and great compassion for people's needs and wants, she will serve as a go-to advocate for clients. Her job is to maintain continuous contact with our clients. She serves as a concierge to make the experience with our firm the best it can be.

**REFERRALS:** We appreciate you and we are thankful for any referrals. If you know someone who could use our help, I and the rest of the Spiva Law Group would be honored to assist them in seeking justice.

Please tell the person answering the phone that you sent them and we will ensure they get VIP treatment!

23) Will you copy me with everything you do on my case?

Yes, every letter and every document, medical records, evaluation and demand package, law suit, discovery, everything will be copied to you. If you want to save paper, we can also email them to you.

24) Which staff members will work on my case?

Every case has an assigned paralegal, a legal assistant, investigator, claims manager, and at least 2 attorneys.

25) Who at your office (both attorneys and non-attorneys) will communicate with the insurance company for my case?

Your attorney will sign every letter sent to the insurance company.

26) Who at your office (both attorneys and non-attorneys) will be in charge of settling my case?

Only attorneys in our office settle cases. Many high volume law firms use staff members to negotiate and settle cases, we never have non-attorneys settling cases.

27) Will I have input before my case is settled?

Yes. A case is never settled without written permission from the client and an understanding of how much money the client will “net” after medical bills, case expenses, and attorney fees are deducted. This net figure is not taxable (as long as it is not labeled punitive damages, lost income or for a “confidential” amount.)

28) If my case goes into a suit, do your clients get invited to attend the depositions?

Yes, in fact, we encourage it. This is your case and you are the best person to help build your case.

29) If you do not handle my type of case, will you help me find a lawyer who handles them? Do you charge me a fee or get a referral fee from the other attorney?

We refer out all non-injury cases. We do not require a referral fee from the client nor the other attorney who we send the case to.

In worker's compensation, medical malpractice and out-of-state injury cases we often refer or associate with an attorney who specializes in that area of the law or in that state. We often receive an association fee or a referral fee in such cases.

## Technology and Cutting Edge

30) Is technology important to you and why?

We believe in using cutting edge technology to prove our client's case. We utilize surveillance, an in-house investigator, iPads, Google tablets, our law firm safety app, the Internet, and many other sources.



A lawsuit, and the trial of a case, is a lot like a battle. The resources, experience, and strength of the attorneys are crucial.

The outcome of a lawsuit over a catastrophic or serious injury will affect the rest of the client's life. Often, it's the little things that make big differences.

Having video testimony is a strategic advantage that frequently makes a huge difference during trial. When a video looks better organized, you are then better prepared and more likely to impress jurors.

***In one recent case we took over 80 depositions at a cost of over six figures. We fight hard.***

Howard Spiva, of the Spiva Law Group, has been invited to speak at Mastermind Summits for lawyers held on technology. Mr. Spiva's presentation, titled "Innovative Technology To Improve Client Services and Case Resolution," covered the utilization of smartphone apps, Google Nexus Tablets, iPads, and other high-tech, "high-touch" applications by the firm's clients.

Mr. Spiva has been recognized as a thought leader for his ongoing contributions to further the practice of law. He is a sought after speaker at legal conferences and he has made over 200 presentations.

Howard is one of the founding members of 12Unlimited – a consortium of lawyers from across the country who are collaborating together to embrace new media and emerging technology for the benefit of their clients. They share their key findings and best practices with other lawyers & members of the legal marketing community.

**<http://12unlimited.com/lawyers-care.html>**

***We believe in maintaining a winning attitude!***

Attitude wins cases. When you want to win your cases, technology is not a luxury; it is a necessity. Broadcast the message, "We came to win!"



Our cutting edge strategies help to ensure access to trial-winning technology. We look more professional with modern tools. When you look like a winner, you are a winner. The insurance companies know we are always at the top of our game.

31) Do you videotape all of your depositions?

Yes. For the past 25+ years, we have not taken a deposition unless it was videotaped. If the case is worth fighting you should fight hard. You never know when you will find that golden nugget and you need the camera there ready to capture it.

32) Does your firm have an interactive smart phone app?

Yes we designed our own interactive app. Now you may want to know, why would you want an attorney's app? And why would you want *our* safety app?

**What's the Power of an app? Here are 12 Ways to keep your family safe with our Safety app:**

1. You can use our app with any law firm. You are not limited to our law firm; you can use the app with another law firm or with your insurance agent.

2. The safety app provides protection to your teenager, spouse and loved ones.

3. In the event of an accident or injury, the app automatically notifies the person of your choice of your exact location by email or text with a link to Google maps to you as the parent, your spouse, the police, our own staff investigator, your attorney- you choose who receives the notice!

4. The safety app helps you to be a Good Samaritan should you come upon a wreck or accident; so you can help others.

5. The app can be used by you to defend any false claims made against you in a wreck. It will keep your

teenager or spouse from being bullied by an aggressive or assertive adult at a wreck scene. This will keep your insurance rates from going up.

6. The Safety app alerts emergency personnel of your medical conditions, your emergency contacts, and if you are allergic to any medications.

7. The app is a check list with step-by-step instructions on what to do (and not do) in an emergency. The information will be useful throughout your entire case.

8. One touch of your safety app can notify parents for your teens, your spouse, 911, police, wrecker, taxi, your attorney... and anyone else you choose!

9. The one touch Law Cam captures audio of witness statements; it gives them instructions and then audio is automatically saved and emailed to your attorney or your insurance company.

This prevents statements from being lost, witnesses from forgetting what happened, changing their story, or disappearing.

10. The Law Cam recorder also collects and preserves evidence of photos of the scene, skid marks, traffic signs, insurance info, tags, bystanders, defendants and police.

Oftentimes, police don't take photos at wrecks and the insurance company later denies evidence of speeding. The photos can enhance your money recovery.

11. The app has "client how-to guides" and videos to educate you on your legal rights. Examples of videos include: *How You Can File Your Own Claim Without a Lawyer*. The guide can save you attorney fees.



12. The app also will provide you with legal updates as the laws change. Knowing the law will make you smart!

If you would like for you, your family, friends, and loved ones to have the protection and benefit from our Free Safety APP please go to <http://www.spivalawapp.com> and download the app to your smart phone.

## 12 Ways to Keep Your Family Safe With Just ONE App!

**1.** Receive step by step instructions on what to do in an accident or emergency situation.

**2.** Alert your family with an exact location, using our apps Google map link.

**3.** Protect yourself and loved ones from false claims and increased insurance rates.

**4.** Alert emergency personnel of your important medical conditions.

**5.** One touch calling to 911, loved ones or your attorney.

**6.** Capture recorded witness statements and send them to your attorney instantly.

**7.** Use the LawCam recorder to take photos and preserve evidence at the scene.

**8.** Watch client education videos on your legal rights.

**9.** Receive legal updates and important law changes. It will make you smarter!

**10.** Protect your teenagers, spouse or loved ones. Have them download the App!

**11.** Be a Good Samaritan should you come upon a wreck or accident you can help others.

**12.** Use our app with any attorney or insurance agent.

Available on the **App Store**

Get it on **Google play**

Accidents can happen really fast and usually when you least expect it. Imagine a car just slammed into your car. You're breathing fast. Your heart is beating hard, and you're still in disbelief that you've just got into a car accident. So what do you do?

Over the past 30 years people who have come to my office often have been confused at the time of the wreck.

They were in shock; and they didn't know what to do.

**Here is a more detailed explanation of how useful an app can be:**

That's why we have developed an Emergency App. This app is FREE. This is an injury kit right in the palm of your hand. It's a step-by-step guide with a checklist of what to do and what not to do to help you preserve the evidence, so that when it's time for you to be justly compensated, the insurance companies don't start throwing up the red herring and saying, "Well you can't prove this," and, "you can't prove that."

The first thing I want you to do with this app is to go to the medical information tab and put in any allergies. Specify if you're allergic to penicillin or if you've got a pacemaker, or if you've got steel rods in your back. Anything like that can help medics and first-responders so that they don't do anything to hurt you worse.

Enter your contact information so that in case you're incapacitated you can give it to the medical people at the scene because, you know when you get in an accident you want somebody to contact your loved ones and let them know where you are. That should be one of the most important things you do with this app. It will save a lot of headaches and heartaches down the road.

Two big things on this app are the Law-Cam and also witness statements.

I can't tell you how important it is for you to preserve evidence at the scene. I've handled cases and tried suits where police didn't take pictures of the accident scene and there were skid marks and somebody was saying they weren't going over the speed limit. But of course if we had had pictures of the skid marks we could have

shown that he definitely was speeding. And then what happens is that by the time they get to our office it has rained and you go out there and the skid marks have been washed away.

***NOTE: Recording is important because once you get the statement recorded, the person speaking pretty much cannot go back on what they've said. You're going to get the honest truth about what happened which is very, very important.***

I can't stress that enough because I've seen where people that were entitled to serious money for serious injuries were not compensated because witnesses disappeared, the evidence had been tampered with or evaporated, and this app can help you prevent many of those same mistakes that I've seen many of my clients make over the past 30 years.

**In a nutshell, this smart phone app will really help us prosecute your case!**

Our FREE App has been out since November, 2012.

This personal injury kit is not just for auto wrecks. It's for work injuries, slip and falls, dog bites, defective products, and any type of injury you might get.

We also want to make sure that your teens have it on their phones because in the past we've seen adults who are aggressive intimidate young drivers and try to take advantage of them.

By having this app, teens can prove that they are in the right and it's the other party's fault. So it's a great thing for your teens to have not only for them, but also for you in the long run when it comes to insurance rates.

If you like our app, I encourage you to share this with all your family members, friends, and people at work. Put it on your Facebook page, e-mail it, text it to your friends, Tweet it, and share it with everybody you know.

And if you think we can make it better, let us know. We are committed to make this the best app for injured victims. So if there's anything you can think of to make this better, please share it with us. Contact our office and we'll get right on it.



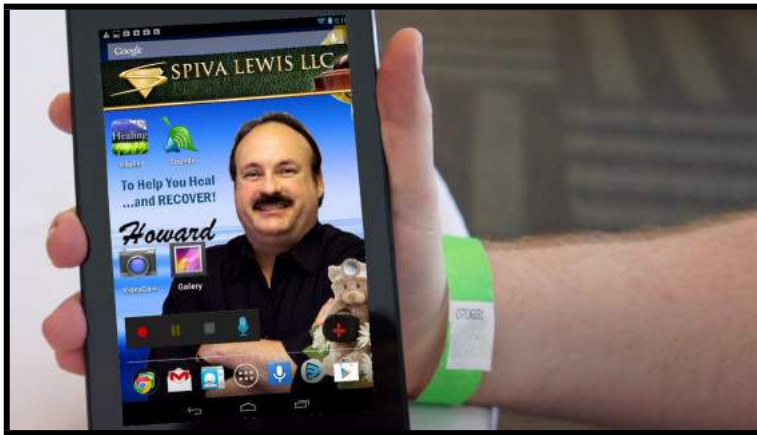
33) Does your law firm provide seriously injured clients with a tablet or iPad to help clients?

Yes. We designed the program on the device to help the client heal and recover both medically and financially.

In using innovative Google technology, the firm believes they are raising the bar for all attorneys. It gives clients unprecedented access to the handling of their client case and gives the lawyer an all-access pass to previously untapped goldmines of evidence.

## Savannah Law Firm Using Google Nexus Tablet to Improve Customer Service and Maximize Client Compensation

Spiva Lewis LLC is employing innovative Google technology that is revolutionizing the way personal injury cases are handled. Savannah-based Spiva Lewis Law Group is leading the way to the future of personal injury law by rolling out a new program that puts a Google Nexus tablet in the hands of their clients.



“We have started providing Google Nexus Tablets to hospitalized clients that contain software that will change the way attorneys practice law,” explained firm-founder Attorney Howard Spiva.

***“This is how attorneys should operate in the 21st century,” said Spiva.***

Instead of maintaining the image of the personal injury lawyer clinging to armfuls of paper, Spiva is breaking away from the stereotype. His firm is equipped with a fleet of the latest technology that quickly, seamlessly and securely tells client stories in a way never-before-possible.

The Nexus, which is loaned out to Spiva's seriously injured and hospitalized clients, is equipped with various evidence-gathering and communication features that will keep client and lawyer in constant contact throughout the process of the case. At the touch of a button, the firm and their client can quickly and securely share information via existing Google programs like Gmail, Google Docs, chat features and Google calendaring.

***“When people are injured all they have is a phone to call their attorney,” added Spiva. “By providing tablets that are pre-loaded with customized apps, we can enhance our service and maximize results for clients.”***

The tablet contains apps that will give a holistic approach to healing, with hopes of reducing stress and assisting the healing process with soothing soundtracks, inspirational reading material, and even entertaining games to pass the time.

Additionally, the firm's customized applications are programmed to document the client's medical recovery and illustrate daily challenges and struggles.

From Day One specialized applications begin capturing interviews with medical providers, friends, family and others to document the victim's post-injury life and build their strongest case possible.

***“No one can tell your story better than you,” explained Spiva, “The more evidence we have that proves your harms and losses and how the injury has changed your life, the better we are able to paint a picture for the insurance company, the defense lawyer and ultimately to a jury.”***

“By utilizing the evidence gathered via the Google Nexus, the attorney can build stronger cases that can lead to quicker resolutions and greater compensation,” said Spiva.

***“The Google Nexus tablet enables us to put the ‘personal’ in personal injury and propels our client-first approach into the 21st century,” concluded Spiva.***

## **Settlement**

34) Do you prepare demand letters or do you use a settlement evaluation package?

We prepare a detailed settlement evaluation and demand package on every case. This is what a \$600,000 settlement and demand package looks like:



We sent 3 demands recently – for \$300,000, \$1.35m and \$5m. All paid. In most cases we collect 100% and file suit the same day so they know we are not bluffing.

35) What normally is included in the settlement package?

Our settlement evaluation and demand packages are bound and tabbed like a book, and often two to six inches thick. We have a detailed cover letter generally 10 to 50 pages. It contains information about the client and their background, liability issues and applicable law, charges on the defendant, all damages including medical bills and lost wages, detailed analysis of the medical records, injuries and all harms and losses suffered by our client.

Attached to the demand is a package that is bound and tabbed with all supporting documents, such as:

- Police Report
- Photographs of the Property Damage
- Photograph of the Client
- A Family Photograph
- Photographs of any injuries
- Photographs of the scene
- All medical bills, all medical records,
- Medical illustrations and sample trial exhibits
- Lost income and wage documentation
- Prior tax returns, annuity mortality tables, similar verdicts and recoveries
- Witness statements, Recorder's Court Transcript
- Guilty Plea from Recorder's Court, Property Damage Estimates
- Investigator's Report
- Weather Report
- Policy Limits Declaration
- Mileage Expense
- Detailed Injury Sheet showing injuries
- Medical articles on type of injury
- Medical illustrations and Medical Book excerpts
- News Paper article / reports



- Recent Cases
- Lawsuit and applicable discovery
- Law on Liability
- Law violations by defendant
- Any other documents to support our position on law or damages or injuries.

36) Is it bound and tabbed like a book or does your settlement or mediation package include videos supporting my claim?

Yes. For a complete answer please see answer #35.

37) What is your highest jury verdict?

We have received a number of million dollar and multi-million dollar jury verdicts. In 2013 we received a record \$12 million dollar jury verdict. In one unusual case the Judge awarded \$55 million. We have received a number of \$1 million dollar verdicts.

38) What are your highest settlements?

\$9.6 million, \$9.5 million, \$6 million, \$4 million.

39) If my case has a verdict or recovery or settlement that needs to provide for my future or my children's future, can you advise me or refer me to a specialist for:

- (a) Annuities?
- (b) How to rate life insurance and annuity companies?
- (c) Trusts? (Structured and "Special Needs")
- (d) Structured settlements?
- (e) Medicare set aside trust?
- (f) Bankers who specialize in injury victims?

Yes, we explain each of these subjects to our clients and when necessary we refer them to the needed specialist.

## Over \$300 Million Recovered


\$55 Million Shaken Baby Brain Injury  
\$12 Million Fallen Tree Limb Loss of Leg  
\$9.64 Million Fork Lift Closed Head Injury  
\$6.5 Million DUI Digestive Injury  
\$4 Million Construction Front End Loader  
\$3.2 Million Products Defective Jack  
\$3 Million Car Wreck Speeding Driver/Cell  
\$2.3 Million Job Injury Crushed Arms  
\$1.7 Million Front End Loader Serious Injuries  
\$1.4 Million Carnival Injury Mild Brain Injury  
\$1.3 Million Premises Injury Closed Head Injury  
Judgment \$1.15 million (\$900,000.00 Jury Verdict and  
\$253,036.45 Pre-judgment Interest)  
Slip and Fall at K-Mart Torn Rotator Cuff and Head Injury  
\$30,328.03 in Medicals  
Judgment \$1,097,990.89  
(\$742,000 Jury Verdict Plus Pre-judgment Interest)  
Car Wreck \$3,670.00 in Medicals  
\$1 Million (policy limits) Trucking Serious Injuries  
\$1 Million (policy limits) Trucking Rotator Cuff  
\$1 Million (policy limits) Trucking Serious Injuries  
\$960,000.00 DUI Serious Injuries

## Community Involvement

40) Is your law firm involved in any community activities?

Yes, we are very active in our community. We at Spiva Law Group believe deeply in our community.

Please see: <http://www.spivalaw.com/community/>



*Changing people's lives  
for over 30 years...*

*We at Spiva Law Group are deeply committed to our Community*

Justice Robert Benham Award for Community Service  
*The State Bar of Georgia*

Outstanding Service To The Community Award  
*Savannah Bar Associations*

Community Service Award  
*Georgia Trial Lawyers Association*

Home Town Hero  
*WTOCTelevision*

AV® Peer Review Rating of the highest  
level of professional excellence.  
*Martindale-Hubbell*

Superb Rating of 10.0  
*AVVO.com*

Helen V. Head - Advocate of the Year Award  
*Savannah Area Business Chamber of Commerce*

SERVICE . STRENGTH . RESULTS



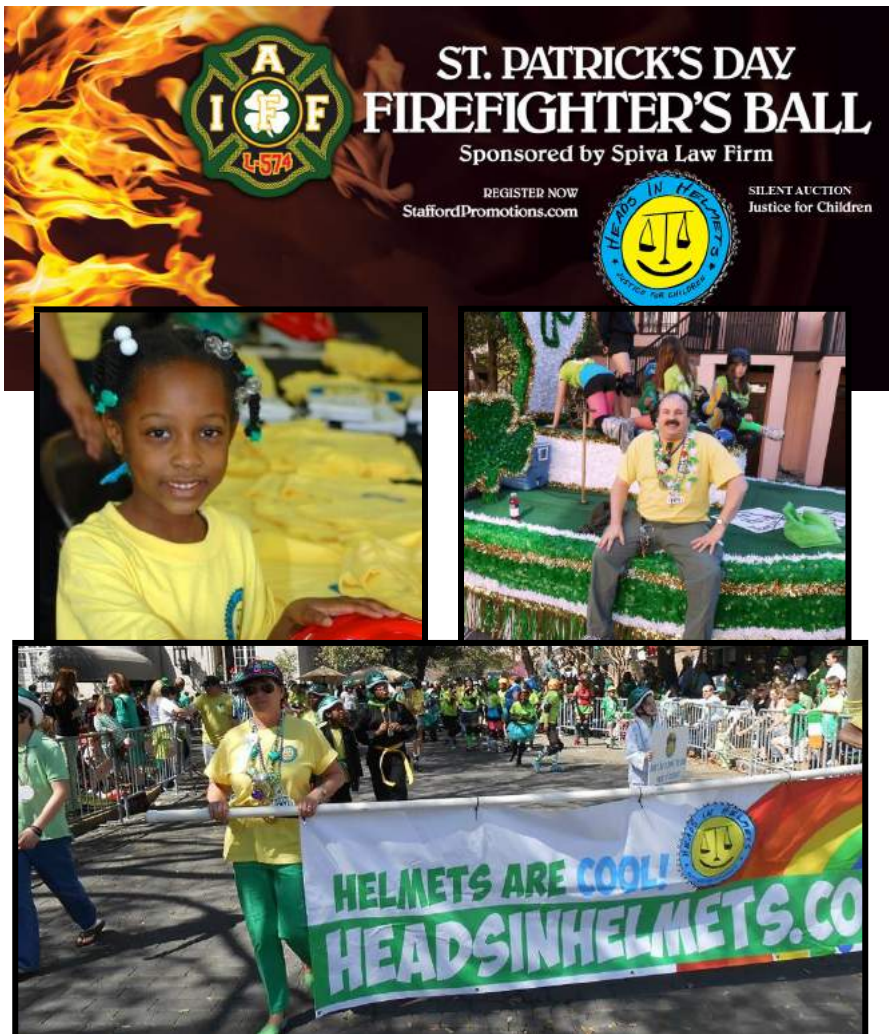
Howard has been recognized statewide as well as nationally for supporting a host of local charitable organizations over the years.

Spiva Law Group is very active in the community and over the years has been involved with many charities and causes, such as:

- The Justice 4 Children Foundation
- Bike Helmets for Kids
- Health Causes
- Security and Safety
- Promoting Savannah
- Hosted a Radio Program: “Never Settle For Less”

**We have participated in fundraisers for many causes and have been recognized state-wide for our charity and community efforts:**

- The American Diabetes Association “Kiss a Pig”
- The Coastal YMCA – Priceless Gift Campaign
- The West Broad Street YMCA
- The Tybee Historic Theater



**For years, Mr. Spiva has taught martial arts, health, fitness, and self-defense to inner city youth.**



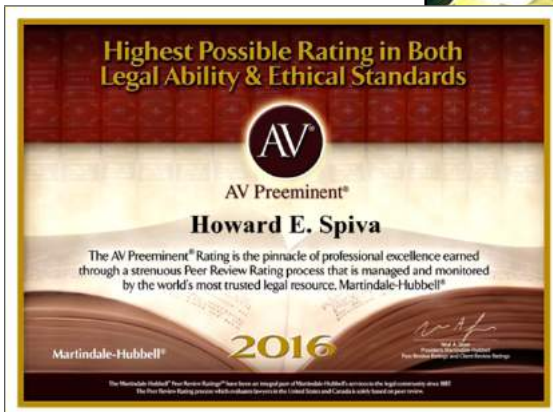
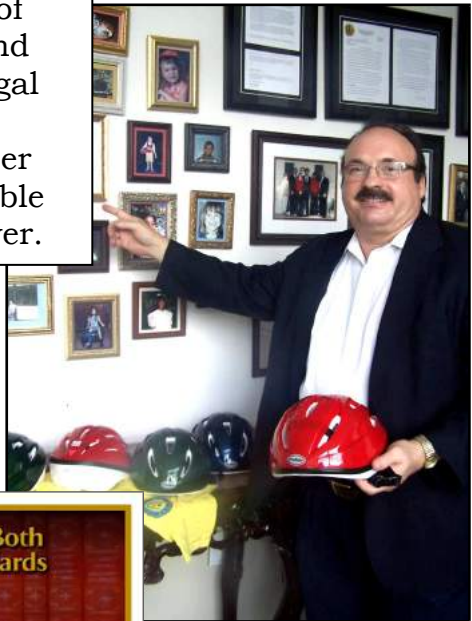
## Awards and Recognition

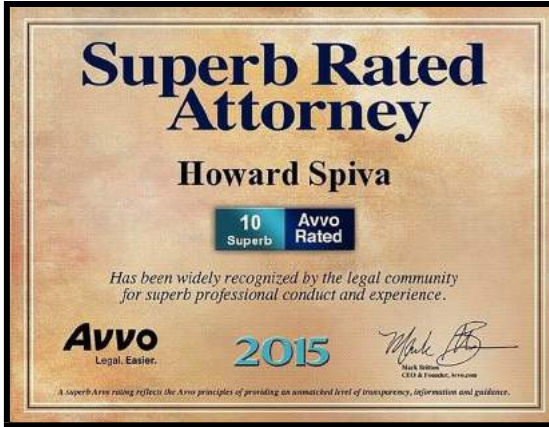
42) Has your firm been recognized by any awards?

Yes, many. We have been recognized as supporters of charitable organizations and endorsed by our peers with highest honors – locally, statewide, and nationally.

### **Martindale-Hubbell Ratings**

attest to a lawyer's legal ability and professional ethics, and reflect the confidential opinions of members of the Bar and Judiciary. Buyers of legal services, consider Martindale-Hubbell Peer Review Ratings invaluable when evaluating a lawyer.





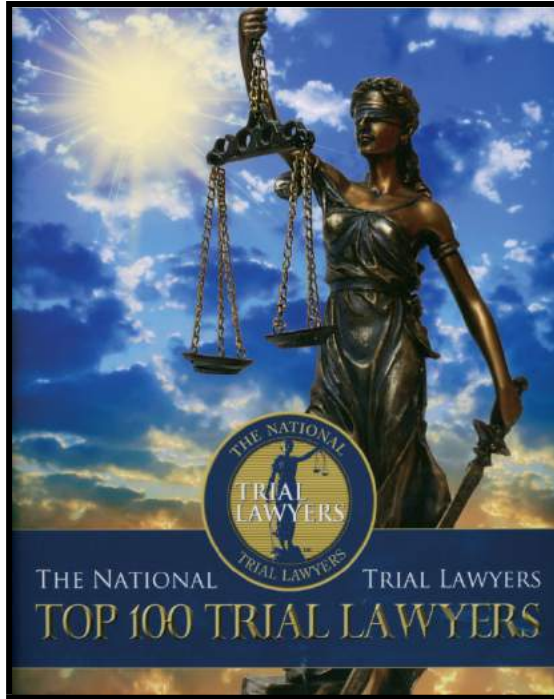
**Highest Rated 10 Superb Attorney**  
~ **Avvo.com**



**Georgia Super Lawyers**  
~ **SuperLawyers.com**

Only 5% of attorneys in Georgia receive this distinction.





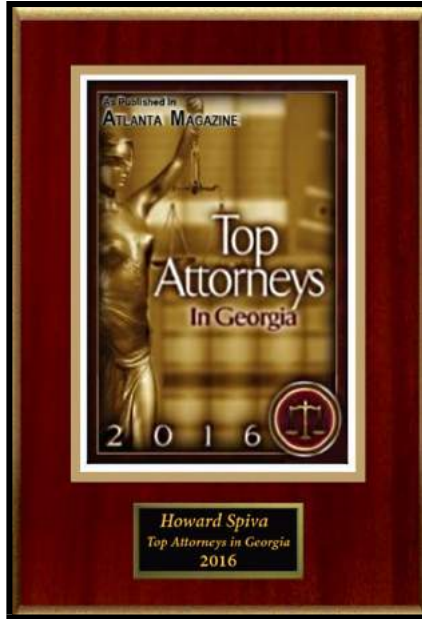
**Top 100 Trial Lawyers**  
~ The National Trial Lawyers

**Howard E. Spiva has been selected as a member into The National Trial Lawyer's: Top 100 Trial Lawyers. The membership is an honor and offered by "invitation only".**

The Executive Committee, which is made up of 75 of the top trial lawyers in America, evaluates the qualifications of potential members.

The membership is extended to those individuals who exemplify superior qualifications, trial results and leadership in their respective state.

<http://www.thenationaltriallawyers.org>



**Top Lawyers of Georgia**  
~ Atlanta Magazine



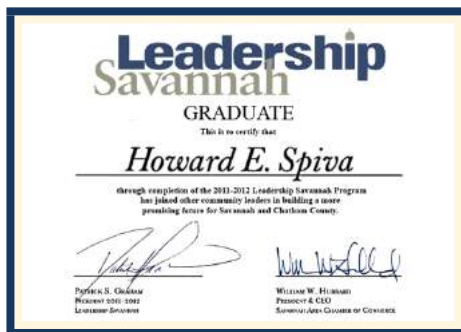
**Justice Robert Benham  
Award for Community Service**  
~ The State Bar of Georgia



**Outstanding Service to the Community Award**  
~ Savannah Bar Associations



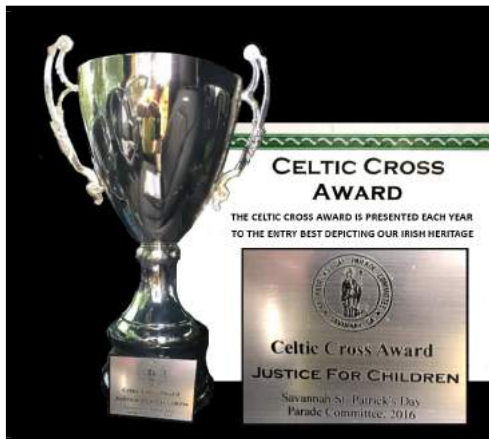
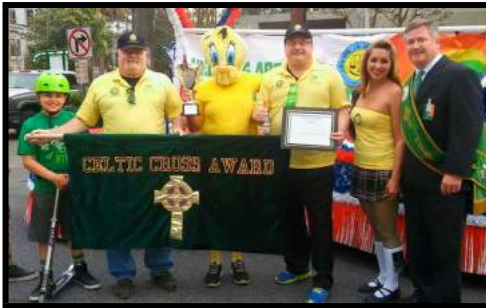
**Community Service Award**  
~ Georgia Trial Lawyers Association



**Leadership Savannah Recipient,**  
~ The Savannah Area Chamber of Commerce.



**Presidential Award**  
~ Southern Trial Lawyers



**Recognition by St Patrick's Day  
Parade Committee**



**Home Town Hero**  
~ WTOC Television



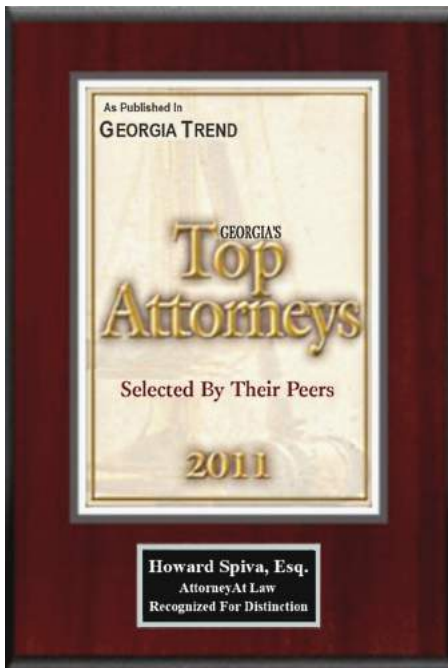
**Reader's Choice Award**  
~ Savannah Morning News



**Speaker of the Year Award**  
~ Small Business Chamber



**Helen V. Head - Advocate of the Year Award**  
~ Savannah Area Business Chamber of Commerce



**Legal Elite**  
~ Sponsored by Georgia Trend Magazine.

Howard E. Spiva has been named several times in Georgia Trend Magazine's "Legal Elite" special edition. Mr. Spiva was one of only 32 lawyers statewide named in the practice area of Personal Injury.

## **Improper Behavior**

43) Should a lawyer be contacting me after a car wreck?

**The short answer to this question is NO.**

It is a clear and direct violation of the Rules of Professional Responsibility for a lawyer or lawyer's representative to contact you after a car wreck.

Often the caller is a person calling from an unidentified cell phone offering to connect them with a lawyer or legal services. This is known as solicitation and it is prohibited in Georgia under the Rules of Professional Responsibility.

It is also against the law in Georgia to obtain a police report unless they represent one of the parties. For a lawyer to get a report on a case where he has not been hired is illegal and unethical. It is a crime of moral turpitude.

Over the years, I have heard numerous accounts of people whose names appear on accident reports getting calls from solicitors including lawyers and even chiropractors.

**When clients have eventually gotten wise to that scheme and have found their way to our office, often their case is severely prejudiced.**

Clearly there is a widespread practice of illegal solicitation of injury victims by bottom-feeding lawyers, chiropractors and "runners" who often work together.

This is improper behavior by law firms, attorneys or their agents. That is sad. It is also criminal. Please see the State Bar of Georgia rules under Appendix "B".

## Serious Injury Questions

### Questions When Hiring a Lawyer in a Serious Injury Case – 12 Important Areas

In my opinion, the purpose of a lawsuit is to make the at-fault party, who is responsible for an injury or damages, “financially accountable” and not put the burden or costs on the family or the tax payer.

If I were to hire a lawyer for my family, I would insist on getting answers to the following questions:

- 1) **Do I need an attorney?**  
**What will you do for me as my attorney?**
- 2) **PLEASE EXPLAIN:**
  - What is a “Special Needs Trust” and does it apply to my case?
  - What is a “Medicare Set-Aside Trust” and does it apply to my case?
  - What is “Excess coverage” or an umbrella policy?
- 3) **DEFINE SUBROGATION:**

What is “subrogation” and does it apply to my case?
- 4) **Does your office staff have experience in coordinating the settlement of liability claim with:**
  - Med-pay coverage?
  - Worker’s compensation Benefits?



- Group Health Insurance?
- Social Security Income?
- Medicare (reimbursement & set-aside)?
- Medicaid?
- Champus?
- TriCare?
- Uninsured Motorist coverage?

## **EXPERTS:**

### **5) Does your office employ or hire:**

- Medical doctor or nurse to review records?
- Professional Investigator?
- Accident Reconstruction expert?
- Professional Engineer?
- Human Factors expert?
- Conspicuity expert?
- Medical Rehabilitation supplier?
- Life Care Planner?
- Vocational Rehabilitation supplier?
- Economist?
- Medical illustration artist?
- Surgical or injury animated video company?
- Trust and annuity companies?

## **NOTE:**

*The Spiva Law Group has employed all of the above in cases and in addition we have hired specific experts for subjects like trees, forklifts, back-hoes, gas tanks, tractor trailers and 18 wheelers, air bags, tires, machine safety guards, explosions – and even ants.*



## **TOOLS:**

### **6) Does your office have?**

- An in-office “Court room” to practice and to prepare witness for court?
- On Staff Investigator? (Scene, witnesses, vehicles, defendants, assets, background)
- On staff Nurse?
- Videographer?

## **PROFESSIONAL ASSOCIATIONS:**

### **7) Are you or the members of your law firm active in any professional associations?**

- Savannah Bar Association,
- Savannah Trial Lawyers Association,
- Georgia Bar Association,
- Georgia Trial Lawyers Association,
- Georgia Consumer Justice Foundation,
- Georgia Civil Justice Foundation,
- American Bar Association,
- The Brain Injury Association formerly the National Head Injury Foundation,
- The Traumatic Brain Injury Litigation Group,
- The American Association for Justice (AAJ), formerly the Association of Trial Lawyers of America (ATLA),
- Southern Trial Lawyers Association,
- Million Dollar Advocates Forum,
- Association of Interstate Trucking Lawyers of America.

### **8) Do you or any attorneys have any special recognition from professional organizations?**

## **LAWYER RATING:**

- 9) What is your firm's Martindale-Hubbell Rating?**  
AV, BV, CV or no rating

## **MEDICAL EXPERIENCE:**

- 10) Does your office have experience with my particular injury?**

- Traumatic Brain Injury
- Spinal Injury
- Broken Bones

- 11) Have you read The Center for Disease Control & Prevention's studies?**

- Concussions;
- The American Academy of Neurology's 3 levels or grades?
- Spinal Injuries (quadriplegia, paraplegia);
- Disc Injuries: Herniated, ruptured, bulging and slipped disc;
- Facet Joint Syndrome and Chronic pain;
- Orthopedic injuries;
- Shoulder Rotator Cuff tears;
- Knee injuries such as meniscus and ACL tears.

- 12) WILL YOU GO THE DISTANCE?**

- Does your office have a success record at trials?
- Do you have a success record on Appeals?

**NOTE:** *Insurance companies know which attorneys will go the distance, if necessary, and who is willing to settle quick and cheap! You will also need this information!*

## Trucking Case Questions

### Questions When Hiring a Lawyer in an 18-Wheeler or Tractor-Trailer Trucking Case



**Is a wreck with an "18-Wheeler" or a Tractor-Trailer different than a wreck with a regular truck or a car?**

Yes. Clearly, getting into a wreck with an 18-wheeler can be much more serious. But beyond the obvious difference in weight and size, tractor trailer cases must be handled in a special manner.

**Why would you want to know this?**

Because many wrecks involve these big rigs and Georgia ranks among the top five states in the nation in the number of fatalities due to crashes of large trucks. Complex federal and state laws regulate the trucking industry.

Eighteen wheelers are defined either as: (a) an "interstate" carrier or (b) an "intrastate" carrier.

- (a) An interstate carrier provides transportation services across state borders and is required to register with the Secretary of Transportation.
- (b) An intrastate carrier, however, has its operations entirely within one state and does not affect interstate commerce. Trucking companies that operate across state lines are required to register with the federal government and comply with various federal laws. Intrastate carriers need only comply with state laws although some states have adopted federal regulations as their own.

There are very important differences between the federal regulations that apply to interstate carriers and those regulations that apply only to intrastate carriers. Not the least of which is the difference in the amount of liability insurance they are required to carry.

The rules of recovery also can be very different. When you are involved in a wreck with another car or a regular truck, the jury is not allowed to know that there is insurance coverage.

Often in cases involving trucks, Georgia statute O.C.G.A. § 46-1-1, will allow a lawsuit directly against insurer. In other words you may directly sue and name the insurance company.

You need to know the difference.

Trucks have additional rules and regulations required for safety that must be considered. Numerous causes of action may be involved in a wreck with a tractor trailer.

**There may be claims that exist for:**

- ~employer liability,
- ~improperly loaded,
- ~negligent hiring, entrustment, or retention,
- ~broker liability,
- ~negligent inspection/maintenance/or repair,
- ~violations of federal motor carrier safety regulations,
- ~violations of rules of the U.S. Department of Transportation,
- ~driver fatigue,
- ~spoliation of evidence, and
- ~punitive damages.

**Anyone who assumes that a large truck wreck is just a bigger car wreck is dangerously naive.**

Investigation, discovery, technology and law involved in the crashes of large commercial trucks are substantially different from other motor vehicle accident cases. You and the lawyer that you hire must know the difference to prevent the insurer from short changing you or your family in a recovery for injuries and damages associated with an eighteen-wheeler collision.

---

---

**When hiring a lawyer, you have an Important Decision... choose well!**

---

---

***At the Spiva Law Group, we only represent individuals and their families. We do NOT represent insurance companies or trucking companies.***

---

# Martindale-Hubbell® Peer Review Ratings™

## **Here is their rating information:**

The Martindale-Hubbell Ratings help buyers of legal services identify, evaluate, and select the most appropriate lawyer for a specific task at hand. Lawyer Ratings serve as an objective indicator that a lawyer has the highest ethical standards and professional ability to justify their hiring decisions.

The process of the Martindale-Hubbell Peer Review Ratings service is based on the confidential opinions of members of the Bar and the Judiciary, including both those who are rated and those who are not.

Martindale-Hubbell representatives conduct personal interviews to discuss lawyers under review with other members of the Bar.

A compilation of these opinions from various sources is necessary to form a consensus. In addition, surveys are sent to lawyers and judges in the same geographic location, area of practice or industry as the lawyer being rated.

Members of the Bar are instructed to confidentially assess their colleague's legal ability and general ethical standards. Ratings are reviewed in stages over the course of a lawyer's career.

The first review – to establish a rating – usually occurs five years after first admission to the Bar.

Ratings are reviewed every five to eight years thereafter – or earlier if Martindale-Hubbell receives information indicating that a lawyer's ethics or abilities are under question. Disbarred or suspended lawyers automatically have their Martindale-Hubbell Peer Review Ratings removed.

In addition, please be advised that other types of attorney disciplinary actions administered by the appropriate bar or judicial authorities may also be grounds to remove a rating. While Bar admitting authorities continuously supply Martindale-Hubbell with disciplinary information.

### **Completely Confidential**

All Martindale-Hubbell Peer Review Ratings review materials are strictly confidential, enabling participants to provide completely candid assessments of their colleagues. Under no circumstances are any Martindale-Hubbell Peer Review Ratings review materials released. Buyers of legal services, as well as those making referrals, consider Martindale-Hubbell Peer Review Ratings invaluable when evaluating a lawyer.

Using ratings, they can select counsel with superior ethics, as well as the desired level of professional experience. Martindale-Hubbell Ratings attest to a lawyer's legal ability and professional ethics, and reflect the confidential opinions of members of the Bar and Judiciary. They appear in all formats of the Martindale-Hubbell Law Directory, in the online listings on [martindale.com](http://martindale.com), on the LexisNexis® services, on CD-ROM, and in print.



An objective way to assess a lawyer, A Martindale-Hubbell ratings allows individuals and businesses to make faster, smarter decisions. A rating's third party validation of ethics and legal ability provides that extra level of confidence that the right lawyer or firm has been selected.

By combining a rating with a review of other data in a lawyer's Professional Biography – such as practice areas, bar memberships, professional affiliations, education and clients – a person can be certain he or she has made the right choice for that particular legal matter.

**There are two components to Martindale-Hubbell Ratings:**

1. General Ethical Standards Rating

The General Ethical Standards Rating denotes adherence to professional standards of conduct and ethics, reliability, diligence and other criteria relevant to the discharge of professional responsibilities.

The General Recommendation Rating is: V - Very High  
A lawyer must receive a General Ethical Standards Rating before his or her review can proceed to the next step.

2. Legal Ability Ratings

Legal Ability Ratings take into consideration the standard of professional ability in the area where the lawyer practices, the lawyer's expertise, and other professional qualifications. When a lawyer's practice is limited or specialized, Martindale-Hubbell Peer Review Ratings are based on performance in those specific fields of law.

Legal Ability Ratings are:

C - Good to High

B - High to Very High

A - Very High to Preeminent

When both categories of Martindale-Hubbell Peer Review Ratings are confirmed, a lawyer receives an CV®, BV® or AV® Rating. If a lawyer moves to a different state, his or her rating will appear in Martindale-Hubbell with the state abbreviation indicating that it was established in another state or province.

Martindale-Hubbell Peer Review Ratings reflect career development. A lawyer's rating will generally improve over time. But Martindale-Hubbell Peer Review Ratings can be revised downward, or even removed if a decline is noted in ability or ethical standards.

#### BV® Peer Review Rating

The BV® certification mark is an excellent rating for a lawyer with more experience. This is the maximum rating a lawyer can receive who has been admitted to the bar from 5-9 years.

#### AV® Peer Review Rating

An AV® certification mark is a significant rating accomplishment – a testament to the fact that a lawyer's peers rank him or her at the highest level of professional excellence. A lawyer must be admitted to the bar for 10 years or more to receive an AV® rating.

**Read this to learn more:**

**[http://www.martindale.com/About\\_Martindale-Hubbell/index.aspx](http://www.martindale.com/About_Martindale-Hubbell/index.aspx)**

## State Bar of Georgia Rules of Conduct

### **Here are some of the Georgia Bar rules:**

Rule of Professional Conduct 7.3, Direct Contact with Prospective Clients, permits restricted written communication with an injury victim after 30 days following an incident, but prohibits in person solicitation completely.

### **It provides as follows:**

(a) A lawyer shall not send, or knowingly permit to be sent, on behalf of the lawyer, the lawyer's firm, lawyer's partner, associate, or any other lawyer affiliated with the lawyer or the lawyer's firm, a written communication to a prospective client for the purpose of obtaining professional employment if:

(1) It has been made known to the lawyer that a person does not desire to receive communications from the lawyer;

(2) The communication involves coercion, duress, fraud, overreaching, harassment, intimidation or undue influence;

(3) The written communication concerns an action for personal injury or wrongful death or otherwise relates to an accident or disaster involving the person to whom the communication is addressed or a relative of that person, unless the accident or disaster occurred more than 30 days prior to the mailing of the communication;

Or (4) the lawyer knows or reasonably should know that the physical, emotional or mental state of the person is such that the person could not exercise reasonable judgment in employing a lawyer.

(b) Written communications to a prospective client, other than a close friend, relative, former client or one whom the lawyer reasonably believes is a former client, for the purpose of obtaining professional employment shall be plainly marked "Advertisement" on the face of the envelope and on the top of each page of the written communication in type size no smaller than the largest type size used in the body of the letter.

(c) A lawyer shall not compensate or give anything of value to a person or organization to recommend or secure the lawyer's employment by a client, or as a reward for having made a recommendation resulting in the lawyer's employment by a client; except that the lawyer may pay for public communications permitted by Rule 7.1 and except as follows:

(1) A lawyer may pay the usual and reasonable fees or dues charged by a bona fide lawyer referral service operated by an organization authorized by law and qualified to do business in this state; provided, however, such organization has filed with the State Disciplinary Board, at least annually, a report showing its terms, its subscription charges, agreements with counsel, the number of lawyers participating, and the names and addresses of lawyers participating in the service;

(2) A lawyer may pay the usual and reasonable fees or dues charged by a bar-operated non-profit lawyer referral service, including a fee which is calculated as a percentage of the legal fees earned by the lawyer to whom the service has referred a matter.

## **Lawyer Referral Services**

(i) The lawyer referral service shall be operated in the public interest for the purpose of referring prospective clients to lawyers, pro bono and public service legal programs, and government, consumer or other agencies who can provide the assistance clients need. Such organization shall file an annual report with the State Disciplinary Board showing its rules and regulations, its subscription charges, agreements with counsel, the number of lawyers participating and the names and addresses of the lawyers participating in the service;

(ii) The sponsoring bar association for the lawyer referral service must be open to all lawyers licensed and eligible to practice in this state who maintain an office within the geographical area served, and who meet reasonable objectively determinable experience requirements established by the bar association;

(iii) The combined fees charged by a lawyer and the lawyer referral service to a client referred by such service shall not exceed the total charges which the client would have paid had no service been involved; and,

(iv) A lawyer who is a member of the qualified lawyer referral service must maintain in force a policy of errors and omissions insurance in an amount no less than \$100,000 per occurrence and \$300,000 in aggregate.

(3) A lawyer may pay the usual and reasonable fees to a qualified legal services plan or insurer providing legal services insurance as authorized by law to promote the use of the lawyer's services, the lawyer's partner or associates services so long as the communications of the organization are not false, fraudulent, deceptive or misleading;

(4) A lawyer may pay the usual and reasonable fees charged by a lay public relations or marketing organization provided the activities of such organization on behalf of the lawyer are otherwise in accordance with these Rules.

(5) A lawyer may pay for a law practice in accordance with Rule 1.17: Sale of Law Practice.

(d) A lawyer shall not solicit professional employment as a private practitioner for the lawyer, a partner or associate through direct personal contact or through live telephone contact, with a non-lawyer who has not sought advice regarding employment of a lawyer.

(e) A lawyer shall not accept employment when the lawyer knows or it is obvious that the person who seeks to employ the lawyer does so as a result of conduct by any person or organization prohibited under Rules 7.3(c)(1), 7.3(c)(2) or 7.3(d): Direct Contact with Prospective Clients.

The maximum penalty for a violation of this Rule is disbarment.

### **Direct Personal Contact**

[1] There is a potential for abuse inherent in solicitation through direct personal contact by a lawyer of prospective clients known to need legal services. It subjects the lay person to the private importuning of a trained advocate, in a direct interpersonal encounter.

A prospective client often feels overwhelmed by the situation giving rise to the need for legal services, and may have an impaired capacity for reason, judgment and protective self-interest.

Furthermore, the lawyer seeking the retainer is faced with a conflict stemming from the lawyer's own interest, which may color the advice and representation offered the vulnerable prospect.

[2] The situation is therefore fraught with the possibility of undue influence, intimidation, and overreaching. The potential for abuse inherent in solicitation of prospective clients through personal contact justifies its prohibition, particularly since the direct written contact permitted under paragraph (b) of this Rule offers an alternative means of communicating necessary information to those who may be in need of legal services. Also included in the prohibited types of personal contact are direct personal contact through an intermediary, and live contact by telephone.

### **Direct Mail Solicitation**

[3] Subject to the requirements of Rule 7.1: Communications Concerning a Lawyer's Services and paragraphs (b) and (c) of this Rule 7.3: Direct Contact with Prospective Clients, promotional communication by a lawyer through direct written contact is generally permissible.

The public's need to receive information concerning their legal rights and the availability of legal services has been consistently recognized as a basis for permitting direct written communication since this type of communication may often be the best and most effective means of informing. So long as this stream of information flows cleanly, it will be permitted to flow freely.

[4] Certain narrowly-drawn restrictions on this type of communication are justified by a substantial state interest in facilitating the public's intelligent selection of

counsel, including the restrictions of sub-paragraph (a)(3) & (4) which proscribe direct mailings to persons such as an injured and hospitalized accident victim or the bereaved family of a deceased.

[5] In order to make it clear that the communication is commercial in nature, paragraph (b) requires inclusion of an appropriate affirmative "advertisement" disclaimer. Again, the traditional exception for contact with close friends, relatives and former clients is recognized and permits elimination of the disclaimer in direct written contact with these persons.

[6] This Rule does not prohibit communications authorized by law, such as notice to members of a class in class action litigation.

### **Paying Others to Recommend a Lawyer**

[7] A lawyer is allowed to pay for communications permitted by these Rules, but otherwise is not permitted to pay another person for channeling professional work. This restriction does not prevent an organization or person other than the lawyer from advertising or recommending the lawyer's services.

Thus, a legal aid agency, a prepaid legal services plan or prepaid legal insurance organization may pay to advertise legal services provided under its auspices. Likewise, a lawyer may participate in lawyer referral programs and pay the usual fees charged by such programs, provided the programs are in compliance with the registration requirements of sub-paragraph (c)(1) or (c)(2) of this Rule 7.3: Direct Contact with Prospective Clients and the communications and practices of the organization are not deceptive or misleading.



[8] A lawyer may not indirectly engage in promotional activities through a lay public relations or marketing firm if such activities would be prohibited by these Rules if engaged in directly by the lawyer.

In addition, OCGA § 33-24-53 establishes criminal penalties for improper referrals and recommendations to attorneys and health care providers in cases involving motor vehicle accidents; access to accident reports, as follows:

(a) In a claim arising out of a motor vehicle accident, a lawyer shall not compensate or give anything of value to a person or organization to recommend or secure his employment by a client, or as a reward for having made a recommendation resulting in his employment by a client; except that the lawyer may pay for public communications permitted by Standard 5 of Bar Rule 4-102 and the usual and reasonable fees or dues charged by a bona fide lawyer referral service operated by an organization authorized by law and qualified to do business in this state; provided, however, such organization has filed with the State Disciplinary Board, at least annually, a report showing its terms, its subscription charges, agreements with counsel, the number of lawyers participating, and the names and addresses of lawyers participating in the service.

Upon conviction of an offense provided for by this subsection, the prosecutor shall certify such conviction to the disciplinary board of the State Bar of Georgia for appropriate action. Such action may include a suspension or disbarment.

(b) With respect to a motor vehicle insurance benefit or claim, a health care provider shall not compensate or give anything of value to a person to recommend or secure the provider's service to or employment by a

patient or as a reward for a recommendation resulting in the provider's service to or employment by a patient, except that the provider may pay the reasonable cost of advertising or written communication as permitted by rules of professional conduct.

Upon a conviction of an offense provided for by this subsection, the prosecutor shall certify such conviction to the appropriate boards for appropriate action. Such action may include a suspension or revocation of the health care provider's license.

(c) With respect to a motor vehicle accident, no employee of any law enforcement agency shall allow any person, including an attorney, health care provider, or their agents, to examine or obtain a copy of any accident report or related investigative report when the employee knows or should reasonably know that the request for access to the report is for commercial solicitation purposes.

No person shall request any law enforcement agency to permit examination or to furnish a copy of any such report for commercial solicitation purposes.

For purposes of this subsection, a request to examine or obtain a copy of a report is for "commercial solicitation purposes" if made at a time when there is no relationship between the person or his principal requesting the report and any party to the accident, and there is no apparent reason for the person to request the report other than for purposes of soliciting a business or commercial relationship.

All persons, except law enforcement personnel and persons named in the report, shall be required to submit, to the law enforcement agency, a separate written request for each report.

Such written request shall state the requestor's name, address, and the intended use of the report in sufficient detail that the law enforcement agency may ascertain that the intended use is not for commercial solicitation purposes.

The law enforcement agency shall file each completed written request with the original report. No person shall knowingly make any false statement in any such written request.

(d) A person may not receive compensation, a reward, or anything of value in return for providing names, addresses, telephone numbers, or other identifying information of victims involved in motor vehicle accidents to an attorney or health care provider which results in employment of the attorney or health care provider by the victims for purposes of a motor vehicle insurance claim or suit. Attempts to circumvent this Code section through use of any other person, including, but not limited to, employees, agents, or servants, shall also be prohibited.

This provision shall not prohibit an attorney, doctor, or health care provider from making a referral and receiving compensation as is generally permitted under applicable professional rules of conduct.

(e) Any person who violates any provision of this Code section shall be guilty of a misdemeanor involving moral turpitude.

### **Using Runners To Obtain Cases**

Under O.C.G.A. § 33-24-53(a), a lawyer shall not compensate a person or organization to recommend a lawyer or secure employment by a client.

Despite the clear statute forbidding such behavior, there are a number of personal injury attorneys who continue to practice using runners to obtain cases. This happens in every part of the state of Georgia, including West Georgia.

The Georgia Supreme Court has disbarred lawyers for using these sources including runners to get personal injury business.

The use of runners involves non-lawyers receiving a fee for referring cases to a lawyer. In the case of these disbarred lawyers, they were paying a chiropractor an “advertising fee” and also paid a non-lawyer to act as an intermediary to contact potential personal injury clients.

The Supreme Court recently noted “we consider their offenses very serious.” “Although respondents were not disciplined previously, their conduct was egregious – they cast a wide net covering more than 1,300 cases.

Their scheme was highly organized and very lucrative; and it was not short-lived. They were motivated by greed and they are not remorseful.” Obviously, the Georgia Supreme Court took this case very seriously.

If you, or a family member are contacted following a car wreck by an attorney (whom you did not contact) or someone working for an attorney, this is likely illegal contact by this lawyer or lawyer’s agent.

***If you believe that you have been contacted illegally by a lawyer or someone working for a lawyer, please contact the State Bar of Georgia or contact an attorney regarding this unethical behavior.***

**<http://www.gabar.org/committeesprogramssections/programs/consumerassistanceprogram/index.cfm>**

## Avvo.com Peer Endorsements

Read what 105 lawyers say about us in their endorsements on [www.Avvo.com](http://www.Avvo.com)



Howard is not only a top notch and very skilled trial attorney, he also has a high level of compassion that is matched by very few. His work with the Justice for Children Foundation has been inspirational to our practice. I highly recommend Howard to anyone in need of a top notch trucking accident attorney.

[Gary Christmas](#) Workers Compensation Attorney  
**Relationship:** Fellow lawyer – North Charleston, SC



Howard is one of the smartest, most tenacious, hard-working and thoughtful attorneys I know. He truly cares about his clients and that care shines through in everything he does. There may be attorneys who are flashier, but if you want a real relationship with a lawyer who will really get to know you and your family and fight for your rights with the highest level of knowledge, skill and ability, you can do no better than Howard Spiva. He is simply the best.

[Matthew Dubin](#) Car Accidents Attorney  
**Relationship:** Fellow lawyer – Seattle, WA

## We are Proud of What Other Lawyers Say About Us on [www.Avvo.com](http://www.avvo.com)

<http://www.avvo.com/attorneys/31406-ga-howard-spiva-503484/endorsements.html>



I endorse this lawyer. Howard is a splendid advocate and innovative lawyer. He works passionately to help his clients (and others in need). Howard's efforts with "Heads-in-Helmets" are extraordinary making all of us so proud of him as a lawyer and human being.

[John Romano](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – West Palm Beach, FL



Howard is one of those lawyers who really, really "gets it." He'll give you the information you need to make a great decision about (1) whether to hire an attorney and (2) how to get the best result for you in your case if you do hire him. I'd highly recommend that you chat with him before making your hiring decision.

[Benjamin Glass](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Fairfax, VA



Howard Spiva is an icon in the legal community. He is well known as one of the best trial attorneys in the Savannah area and across the state of Georgia. You can trust that Howard will see that justice is served in a wrongful death or personal injury matter.

[Charles McAleer](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Decatur, GA



Howard is a great attorney. Not many lawyers can say they obtained multi-million dollar jury verdicts for their clients. Howard can.

[Jamie Casino](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Savannah, GA



I endorse this lawyer. Mr. Spiva is an exceptional attorney. His understanding of the importance of community service and public safety as evidenced by his bicycle helmet program is an inspiration to others within the legal community.

[Samuel Coffey](#) Wrongful Death Attorney

**Relationship:** Fellow lawyer – Fort Lauderdale, FL



Howard is one of those lawyers that believes that success comes from helping people in the community - whether a client or a stranger, he does his best to make each person's day a little brighter than it was before he met them. I endorse Howard without reservation.

[Andrew Copenhaver](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – North Charleston, SC



I had the opportunity to practice many years in the Savannah community and know Mr. Spiva personally. He is a great lawyer. He is a great person. I endorse this lawyer.

[Kristina Hatcher](#) Estate Planning Attorney

**Relationship:** Fellow lawyer – Johnson City, TN



I recently got to know Howard at a legal group conference. It provided me an excellent opportunity to personally hear him speak about his expertise in the practice area of serious injuries and fatal accidents. I highly recommend him as an attorney.

[James Murphy](#) Car Accidents Attorney  
**Relationship:** Friend – Douglasville, GA



Howard has an excellent and well deserved reputation as a fierce advocate for his clients. Howard is an excellent lawyer with a well deserved reputation as a highly successful advocate for his clients.

[Edgar Williams](#) Securities Offerings Attorney  
**Relationship:** Fellow lawyer – Savannah, GA



Howard is one of the most dedicated lawyers I know. His attention to detail is extraordinary, and his sincere desire to always do what is in the best interest of his client makes me a fan!

[Daniel Cohen](#) Insurance Attorney  
**Relationship:** Fellow lawyer – Savannah, GA



Howard represented some folks in a bad auto accident on I-95 and I represented a contractor who had property damaged during that accident. During litigation, I observed Howard first hand and, as a result, I hold him in the highest esteem. Howard is a vigorous litigator; yet, he has the personality to deal with every day folk and make them feel comfortable. I wholeheartedly endorse Howard.

[Paul Scott](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Brunswick, GA





I have defended several cases that Howard has filed in the past. I find him to be a highly competent and ethical lawyer who has done an excellent job for his clients in the past. I would refer personal injury claimants to Howard and would expect that he would do an excellent job for anyone that he represents.

[Thomas Bass](#) Litigation Attorney

**Relationship:** Opposing Counsel – Savannah, GA



I endorse this lawyer. Have known and worked with Howard for years. He will do his best and that is all a client can ask for.

[Wilbur Owens](#) Animal & Dog Bites Attorney

**Relationship:** Worked together – Savannah, GA



Howard is one of the best lawyers in the State of Georgia. He works hard for his clients and obtains excellent results. He has a special place in his heart for children. He formed a charitable organization that provides bicycle helmets for children. He has an excellent staff and has surrounded himself with good, talented people.

[Dwight Feemster](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Savannah, GA



Howard is a great attorney. Clients absolutely love him and for very good reason. Spiva runs a first class operation and works very hard for his clients.

[Christopher Daly](#) Car Accidents Attorney

**Relationship:** Worked together – Savannah, GA



I endorse Howard without a doubt. He is one of the most knowledgeable and experienced lawyers around. If you have a question Howard is always there willing to answer and provide advice. Howard is a great lawyer and an even better person.

[Richard Sanders](#) Divorce & Separation Attorney

**Relationship:** Fellow lawyer – Savannah, GA



Howard is both an experienced and tireless lawyer for the rights of his clients. I recommend him without reservation.

[Kevin Ford](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



Howard may have more positive energy than any lawyer I have ever met and that is a GOOD thing because he puts that energy to work to achieve the best possible outcomes for his clients. I would heartily recommend Howard to anyone with a Georgia personal injury claim.

[James Reed](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Elmira, WY



I endorse Howard as one of the best in the U.S.A.

[Ronald Calhoon](#) Workers Compensation Attorney

**Relationship:** Fellow lawyer – Harrisburg, PA



Howard E. Spiva has been practicing law in Savannah Georgia for 30 years. He limits his practice to serious personal injury, wrongful death and litigation with an emphasis on premises liability, trucking, brain injuries and claims involving children. I know Howard to be a leader in his field and to be an attorney who cares deeply for his clients.

[E. Slappey](#) Workers Compensation Attorney  
**Relationship:** Friend – Atlanta, GA



I endorse this lawyer. Howard is a leader in the legal community. He is a creative and hard working lawyer who gets great results for his clients. I recommend him.

[J. Sharpe](#) Criminal Defense Attorney  
**Relationship:** Fellow lawyer – Marietta, GA



Mr. Spiva is an intelligent and creative gentleman who freely shares his ideas with other members of the bar for the benefit of all.

[Brian Gillette](#) Social Security Attorney  
**Relationship:** Fellow lawyer – Williamsburg, VA



I endorse this lawyer's work. His skill and devotion to his clients' and their well- being is unmatched!

[George Lewis](#) Trucking Accident Attorney  
**Relationship:** Fellow lawyer – Savannah, GA



Howard is not only an awesome lawyer but the ultimate people person. Howard has taught me not just about the law but how to communicate and build a circle of raving fans. I cherish the time I have spent with Howard and can't wait to connect again.

[Seth Price](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Washington, DC



I endorse this lawyer. There is not a finer person or attorney in this area. He truly cares about his clients and is not afraid to take the government to task. I would trust him on any type case and in any type situation.

[W. Barber](#) DUI & DWI Attorney

**Relationship:** Fellow lawyer – Statesboro, GA



Howard has a compassion for his clients and the community that sets him apart. His dedication to "Heads in Helmets" marks him as an attorney who wants to give back rather than simply "make a living" from his community.

[Thomas Pope](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Rock Hill, SC



Howard is an excellent trial attorney with a record to prove it.

[Brice Ladson](#) Business Attorney

**Relationship:** Fellow lawyer – Savannah, GA



I endorse this lawyer. Mr. Spiva provides accurate and insightful solutions for appeals issues. He demonstrates his dedication to the profession by taking time from his busy practice to provide meaningful answers to questions on Avvo. I would not hesitate to refer someone to him for legal representation.

[Allison Travers Hamilton](#) Mediation Attorney

**Relationship:** Fellow lawyer – Katy, TX



I endorse attorney Howard Spiva.

[Joseph Woods](#) Military Law Attorney

**Relationship:** Fellow lawyer – Evansville, IN



I endorse attorney Howard Spiva.

[William Woods](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Evansville, IN



I endorse Howard Spiva's work.

[Gwendolyn Waring](#) Employment and labor Attorney

**Relationship:** Fellow lawyer – Savannah, GA



I've known Howard Spiva since I moved to Savannah many years ago. He is absolutely adamant about ensuring that his clients receive justice in any case that he represents them on. I've seen him stand up to huge corporations and take on entire teams of lawyers without blinking. If any family member of mine had any civil matter or was wrongfully injured in any way – he is the attorney that I would call.

[James Byrne](#) Criminal Defense Attorney  
**Relationship:** Fellow lawyer – Savannah, GA



I endorse attorney Howard Spiva. Great person. Incredible lawyer.

[Mario Stellute](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Hampton, VA



I endorse attorney Howard Spiva.

[Jonathan Hayes](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard has an excellent perspective about the practice of law, never missing an opportunity to find light in darkness. I pay very close attention to how he merges the practice of law with service to the community. If I ever have need of a referral or assistance in Savannah, he's the guy.

[A Rockefeller](#) Family Attorney  
**Relationship:** Fellow lawyer – Warner Robins, GA



I know Howard from a lawyers group where we meet to discuss ways to improve our practices and better serve our clients. Howard has provided advice and materials that demonstrate that he is a highly capable lawyer who respects and values his clients and delivers the best possible service and results in every case, large or small.

[Francis Jackson](#) Social Security Attorney

**Relationship:** Fellow lawyer – South Portland, ME



Mr. Spiva is a top flight trial attorney. He is well known and regarded throughout Savannah and the state of Georgia. If you or a loved one has been injured, Mr. Spiva will help you get the best results possible in your case. He makes sure justice is served.

[Kimberly Ann Berry](#) DUI & DWI Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



I endorse this lawyer. Be it socially or professionally, I have taken something away from every conversation with Howard that has benefited my practice. Howard contributes to the profession as a lawyer and compliments the practice of law, as we all should, in the areas of philanthropy and community.

[James Stevens](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Savannah, GA



I endorse attorney Howard Spiva.

[John Worman](#) Military Law Attorney

**Relationship:** Fellow lawyer – Evansville, IN



Howard is an intense lawyer that believes in his clients and in what he is doing. The combination makes a very smart man into a very powerful force. Given what the insurance companies bring to the table in personal injury cases, you need someone like Howard on your side to even the playing field whether it is in negotiation or at trial.

[Morgan Adams](#) Trucking Accident Attorney

**Relationship:** Fellow lawyer - Chattanooga, TN



Howard Spiva is a lawyer's lawyer. His experience and competence put him at the top of the heap in Chatham County and environs. If, God forbid, you or a loved one ever has a major legal problem, you should consult with this man and see what he can do for you.

[J. Williams](#) Bankruptcy & Debt Attorney

**Relationship:** Fellow lawyer – Duluth, GA



I recommend Mr. Spiva to all in the Savannah area for major car and truck accidents, wrongful death actions, and workers comp cases. If you are going to hire a lawyer, you might as well hire a good one, and you will not do any better than Howard Spiva.

[Patricia Williams](#) Chapter 7 Bankruptcy Attorney

**Relationship:** Fellow lawyer – Duluth, GA



Howard is a great lawyer who cares about his clients and community.

[Jeffrey Gilbert](#) Workers Compensation Attorney

**Relationship:** Fellow lawyer – Atlanta, GA





For anyone who has watched the upcoming crop of young Atlanta Braves players over the past couple of years, Howard is a "five-tool" lawyer for the people. He puts himself in his Client's shoes; knows how to communicate effectively with Clients, witnesses, and judges; respects all involved in the judicial process; is constantly energized; and is passionate about doing the right thing. His intelligence is icing on the cake. We need more Howard Spiva's in the world.

[Charles Raley](#) Admiralty & Maritime Attorney  
**Relationship:** Worked together – Savannah, GA



Mr. Spiva is real. He cares. I recommend this man for personal injury law cases. I endorse this lawyer.

[Jason Cerbone](#) DUI & DWI Attorney  
**Relationship:** Fellow lawyer – Savannah, GA



Howard is a great lawyer and a great asset to the legal community.

[David Llewellyn](#) Medical Malpractice Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



I endorse attorney Howard Spiva.

[Michael Massey](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Gainesville, FL



I endorse this lawyer. Howard is well-known and respected in the legal community. His practice is centered on the highest principles of ethics and responsibility. Howard's firm often sponsors community events and works to raise awareness on issues of children's safety – often giving away free bicycle helmets, so that there are fewer unnecessary injuries in the community. Howard has worked hard to develop the reputation that he clearly deserves.

[Daniel DeWoskin](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Decatur, GA



Howard has been fighting for regular folks - and getting results for them - for many years. He is known for his creativity and compassion. I would recommend Howard to anyone I know.

[Nelson Tyrone](#) Wrongful Death Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



I endorse attorney Howard Spiva.

[Roderick Clutter](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Evansville, IN



I endorse attorney Howard Spiva.

[Henry Bullard](#) Car Accidents Attorney  
**Relationship:** Friend – Macon, GA



I endorse this lawyer. I met Howard when I heard him speak at a lawyer's conference in Atlanta. His love for his clients and the cause of justice is undeniable. Howard has a track record of large verdicts and satisfied clients. He is genuinely interested in people and helping make their lives better, especially when they've been hurt by someone else. You won't go wrong with Howard as your Georgia personal injury attorney.

[Gary Massey](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Chattanooga, TN



Howard is easily one of the best regional and national tort lawyers. His staff is excellent. He always gets the best outcome possible for his clients. Judges and fellow attorneys will be the first to say that Howard is one of the best!

[Billy Tomlinson](#) DUI & DWI Attorney

**Relationship:** Fellow lawyer – Richmond Hill, GA



I endorse this lawyer. Howard Spiva is one of the best trial lawyers in the USA.

[Bruce Berger](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



I endorse this lawyer. Mr. Spiva has more than a knack for speaking to a jury. While many lawyers struggle to articulate complicated legal issues to a jury, Howard has an uncanny gift to marry the facts and law together in a manner that you can "see" when they "get it".

[William Clayton Porter II](#) Personal Injury Attorney

**Relationship:** Co-worker – Savannah, GA



I endorse this lawyer's work. I am most impressed by Howard's attitude towards helping his clients. He has been practicing law for more than 30 years and has no doubt helped thousands of clients. I have sent folks that needed help in Savannah straight to him and will do it again. He and I are both members of the American Association for Justice. On top of that, I think Howard's a great guy.

[Jeremiah Hodges](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Huntsville, AL



Howard is well known throughout the legal community in the state of Georgia. He has a reputation as a wonderful advocate for his clients. Howard will fight for justice for individuals, making sure they get what's fair. He has a brilliant legal mind, and I highly endorse his work to anyone.

[Jason Downey](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Macon, GA



I endorse attorney Howard Spiva's work.

[Michael Carin](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Chicago, IL



Howard is a great lawyer and a great person. His commitment to his clients along with his commitment to our local community speaks volumes.

[Eric Ballinger](#) Divorce & Separation Attorney

**Relationship:** Friend – Canton, GA



Mr. Spiva is well known among lawyers in Georgia. He is an active participant in the Georgia Trial Lawyers Association and freely shares his vast knowledge of the law with other attorneys. He is a frequently lecturer on a number of subjects. Mr. Spiva's dedication is apparent by the number of large verdicts and settlements he has obtained for his clients. I would recommend Mr. Spiva to any client in need of an attorney for a serious injury.

[Joseph Weeks](#) Litigation Attorney

**Relationship:** Fellow lawyer – Decatur, GA



Howard is a fantastic lawyer who shows deep care and concern for his clients and for his community. I endorse this lawyer's work.

[Michael Smith](#) Elder Law Attorney

**Relationship:** Fellow lawyer – Savannah, GA



Howard is an effective advocate for his clients. He is very knowledgeable and well known among his fellow lawyers. I endorse this lawyer's work.

[Bradley Milkwick](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



Howard Spiva is an energetic, highly qualified tort lawyer who works very hard for all of his clients. I endorse this lawyer's work.

[Troy Marsh](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Statesboro, GA



Howard Spiva is truly an innovative attorney who is ahead of his time. An experienced and skilled trial lawyer, Howard utilizes his effective negotiating skills to deliver great service to his clients. More importantly, Howard is a good and likable person and when choosing an attorney, that is extremely important.

[Sam Levine](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



Howard is a wonderful person as well as an excellent attorney. He is insightful and tireless when working with his clients or helping his colleagues with tough legal issues. His 10/10 Avvo rating is well-deserved. I endorse this lawyer's work.

[Tiffini Chambers](#) DUI & DWI Attorney

**Relationship:** Fellow lawyer – Augusta, GA



I endorse this lawyer's work. He is a leader in the profession and mentor to other lawyers.

[Kristen Beightol](#) Medical Malpractice Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



Howard is one of the most conscientious, capable and dedicated attorneys I know. He relates extremely well to all of his clients and to colleagues alike. He is courteous, but firm, in the handling of legal matters. He has built a respected team that knows how to get the job done. I would highly recommend Howard to anyone with an injury-related claim.

[Thomas Hunter](#) Workers Compensation Attorney

**Relationship:** Worked together – Savannah, GA



Howard is a staunch member of Georgia Trial Lawyers Association. He strongly supports the rights of the injured and works tirelessly to find justice for his clients and their families. One of Howard's personal interests is his giving back to the community. As an example, Howard supports the safety of children of Savannah by giving away free bicycle helmets through his non-profit foundation. You could not go wrong by picking Howard to represent you and your case.

[Charles Morris](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Powder Springs, GA



I endorse this lawyer's work. Howard is known to get solid results for his clients.

[James Lee](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Macon, GA



I endorse this lawyer's work. Mr. Spiva is active in the community and is a vocal advocate for his clients.

[James Neuberger](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



Having heard Howard speak and observed his passion for his line of work and for taking care of his clients, I can endorse his legal acumen and professionalism.

[Michael Moebes](#) Workers Compensation Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



I know Howard and have seen firsthand how his office investigates catastrophic cases. He is the only attorney I know who has a full-time private investigator on his staff. He knows a case's value is determined in the way it is investigated and prepared. Every case he accepts is prepared for trial from day one. This approach is the only way your lawyer should be working-up your case, period.

[David Brauns](#) Car Accidents Attorney

**Relationship:** Friend – Duluth, GA



Howard's reputation is fantastic both with attorneys and the community. There are not many attorneys who can boast the level of accomplishment that he and his firm has attained while maintaining an excellent reputation. What is most impressive to me is his passion to give back to the community and fellow attorneys in his field.

[L. Ty Wilson](#) Workers Compensation Attorney

**Relationship:** Fellow lawyer – Savannah, GA



Howard Spiva is an excellent lawyer with a proven track record of protecting the rights of injury victims and obtaining the best possible results on their behalf. Located in Savannah, Georgia, Howard provides free consultations and is acknowledged as being one of the best in his field. Howard cares about his community and gives much of his time and talent to those who need help most.

[Robert Buck](#) Defective & Dangerous Products Attorney

**Relationship:** Fellow lawyer – Atlanta, GA





Howard is a knowledgeable lawyer who works tirelessly to help his clients. He founded the Justice For Children foundation which works to prevent injuries. He is also always willing to share his knowledge with other lawyers in the Georgia Trial Lawyers Association. I heartily endorse him.

[Christopher Perkins](#) Workers Compensation  
**Relationship:** Fellow lawyer – Carrollton, GA



Howard Spiva is not only a fantastic lawyer, but a great person. His love of the community and in giving back is a beacon for all attorneys. The "S" on his logo is not only for Spiva, but also for SuperLawyer as Howard is definitely world class. He represents his clients with the feeling that they are part of his family. I recommend Howard Spiva to all potential clients wholeheartedly.

[Jack Rosenberg](#) Workers Compensation Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard Spiva is a recognized leader throughout Georgia in the field of personal injury law. In addition to tirelessly serving the needs of his own clients, he also plays a key role as an advocate for civil justice on statewide public policy issues involving personal injury and medical malpractice law. On a personal note, I have gained significant insight from Howard on the technical aspects of law firm management and marketing, and have benefited from his guidance. I recommend Howard without hesitation to potential clients.

[Timothy Klob](#) Workers Compensation Attorney  
**Relationship:** Fellow lawyer – Loganville, GA



I endorse this lawyer's work. I know Howard through Southern Trial Lawyers Association. Howard is knowledgeable and willing to share with other lawyers and I have benefitted from his willingness to share with other lawyers. The most amazing thing about Howard is his passion for his clients and his profession. All clients need & deserve a lawyer like Howard.

[Dustin Thomas](#) Divorce & Separation Attorney  
**Relationship:** Fellow lawyer – Pascagoula, MS



Howard Spiva is a great lawyer with a national reputation for excellence. He not only fights hard for his clients, but he is generous in sharing his knowledge with others throughout the country.

[Michael Cowen](#) Car Accidents Attorney  
**Relationship:** Fellow lawyer – Brownsville, TX



Howard is a talented trial lawyer who fights hard to obtain justice for his clients.

[Elizabeth Branch](#) Child Custody Attorney  
**Relationship:** Fellow lawyer – Statesboro, GA



I endorse this lawyer's work. Howard is a great lawyer, who is innovative, energetic and really works hard to get his clients what they deserve. There are a LOT of good lawyers out there, but none better than Howard Spiva.

[David Swanner](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Myrtle Beach, SC



Howard is an extremely selfless individual who will work tirelessly on your case. As a fellow Georgia Trial Lawyers Association Member, I have seen Howard routinely support and help other lawyers with difficult situations. He founded Justice for Children, one of many organizations through which he gives to the community.

[Haynesworth Studstill](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Valdosta, GA



I endorse attorney Howard Spiva's work.

[Dewey Hayes](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Douglas, GA



I highly endorse Howard Spiva of the Spiva Law Group. He always has the best interests of his clients in mind and as a fellow personal injury attorney I know that he is a great asset to our legal community.

[David Van Sant](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



Howard is one of the finest trial attorneys in Southeast Georgia. I am very comfortable referring people needing great representation in the Savannah area to him. Howard is well respected in the trial lawyer bar. He is also very active in his community sponsoring many charity events. I am happy to endorse Howard Spiva of the Spiva Law Group.

[Steven Goldman](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Atlanta, GA



Howard is an exceptional lawyer with a great reputation. He has a true passion for helping others. Besides his legal skills, Howard has the resources needed to take on big cases and big defendants. But, no matter the size of your case, he will work as hard as he can. You will be glad you have him on your side.

[J. Travis Studdard](#) Workers Compensation Attorney  
**Relationship:** Fellow lawyer – Carrollton, GA



Although it has only been fairly recently that I have gotten to know Howard personally, there is no doubt that his reputation for being a zealous advocate for his clients is well deserved. Savannah is fortunate to have a lawyer with such a sincere interest in helping those in his community, as well as the resources to actually do it.

[John Hadden](#) Trucking Accident Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard has an excellent track record of producing outstanding results for his clients. I would not hesitate to refer someone with a serious injury case to Howard.

[Richard Barid](#) Elder Law Attorney  
**Relationship:** Fellow lawyer – Savannah, GA



I have gotten to know Howard through legal discussions on various topics. He has always been helpful and insightful.

[Sheila Donnelly-Coyne](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – St. Paul, MN



Howard is a tireless champion for his clients and devoted to the profession and practice of law. He regularly assists his fellow practitioners with both practical and superb legal and business advice. He is extremely responsive and fights hard for his clients and is generous in sharing his knowledge with others throughout the country. I would have no hesitation referring a matter to him.

[Brian Daughdrill](#) Real Estate Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard's knowledge and experience in handling catastrophic injury cases is tops in the state. Do not hesitate to hire him!

[Joshua Carroll](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Macon, GA



I have known Howard for over 20 years. He and his firm have always had my unequivocal endorsement. Any client would be well served to have him on their side.

[Marion Pope](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard has a fantastic reputation in the legal community and you couldn't ask for a better attorney to be on your side if you need help.

[Andrew Speaker](#) Trucking Accident Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard is a great man and lawyer. I've known him for more than 10 years. He is excellent in the courtroom and passionate about the key to courtroom success – preparation. Howard cares deeply about his clients. I wholeheartedly recommend Howard Spiva and his law firm.

[Richard Jones](#) Personal Injury Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard and his firm zealously represent ordinary people whose lives have been turned upside down by the negligence of others. He will go to great lengths to get his clients the justice they deserve. I wholeheartedly endorse this lawyer.

[John Parsons](#) Workers Compensation Attorney  
**Relationship:** Fellow lawyer – Atlanta, GA



Howard knows how to think outside the box. This is a skill many lawyers cannot do at all, and very few can do it as well as Howard. He has also had a positive impact on Savannah, and that is also true of very few lawyers.

[Birney Bull](#) Adoption Attorney  
**Relationship:** Fellow lawyer – Savannah, GA



I have never met a lawyer with more energy, commitment, and determination than Howard Spiva. His knowledge of the law and ability to obtain results in trucking accident cases are exceptional. I firmly endorse Howard Spiva.

[Robert Register](#) Personal Injury Attorney  
**Relationship:** Worked together – Atlanta, GA



Howard Spiva is a hard-working, hard charging lawyer who really does "change lives". He is an experienced trial lawyer with a support staff of private investigators and top paralegals to help get top dollar in every case. The Spiva Law Group has ready access to the top forensic experts in the country necessary to address the most complex factual and legal issues. They have the financial resources necessary to stand up to the big insurance companies and big business and fight them on an even footing so that their clients come out on top. Spiva has a national reputation and is highly regarded by top trial lawyers throughout the country.

[Brenton Adams](#) Personal Injury Attorney

**Relationship:** Fellow lawyer – Raleigh, NC



Howard is an extraordinary attorney who is dedicated and devoted to fighting for his clients. Howard has taken leadership roles in both the national, state, and local trial lawyer associations. Moreover, Howard's Justice For Children Foundation programs have helped save countless children from serious injuries.

[Chadwick Walker](#) Personal Injury Attorney

**Relationship:** Worked together – Decatur, GA



Howard Spiva of the Spiva Law Group has a 25 year record of success with serious injury and wrongful death cases. Howard is known for achieving ground breaking results in the Georgia Appellate courts while representing his clients.

[Ralph Hughes](#) Car Accidents Attorney

**Relationship:** Fellow lawyer – Decatur, GA

## AAJ Honors Howard Spiva

**The AAJ (American Association for Justice) Honors Howard Spiva, of Spiva Law Group, with Special Recognition for the "Heads in Helmets" Charity.**

***One helmet can make all the difference in world!***

With car wrecks being the leading cause of brain injuries in kids, Spiva's quest is for every kid in America to wear a helmet in the car – and wear it with pride.

With help from his fellow trial attorneys, Georgia injury lawyer Howard Spiva is on a mission to expand the Heads in Helmet program to every city in America.

"Our mission is to protect children from brain damage by providing FREE safety helmets to kids across America." says Heads in Helmets founder, Attorney Howard Spiva.



### **Charity Featured on "Trial Lawyers Care" Site**

Special Recognition was given to the Heads in Helmets charity when it was featured by "Trial Lawyers Care", an initiative of the American Association for Justice (AAJ).

Members of AAJ, the world's largest plaintiffs' lawyer association, were introduced to Spiva and his Heads in Helmets charity and encouraged to join.

**<http://www.triallawyerscare.org/georgia-lawyer-keeps-heads-in-helmets/>**



## The “Heads In Helmets” Ambassador Program

Sloan, Bagley, Hatcher & Perry are our Texas Ambassadors in Longview and Houston. They have received major PR with a lot of attention, and achieved a high level of success.



<https://youtu.be/vYLg2CQSQQ0?t=18m52s>



A picture is worth a thousand words. The charity has been featured on the evening news and local TV stations, as well as numerous radio interviews and magazine & newspaper articles.

<http://comcastnewsmakers.com/2015/06/23/lida-vega/>

“While people may not immediately associate attorneys with a charity, the response we have received so far has been incredible – especially from the press & news media,” said Spiva.



<http://www.reuters.com/article/tx-sloan-firm-spiva-law-idUSnBw076057a+100+BSW20150507>

“Since helmets reduced kid’s bike-related head injuries by about 80%, I figured car accident injuries might be reduced if kids wore safety helmets in their car seats...”

***Pediatricians have been able to conduct crash tests that now prove Howard’s assumptions were correct.***

See the news coverage given to our Ambassadors!

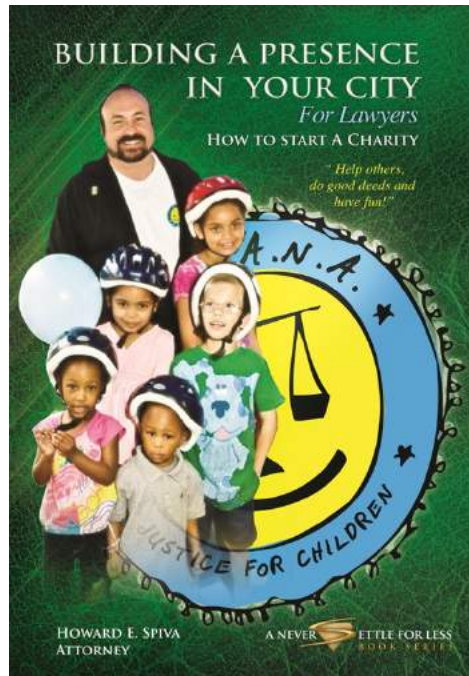
<http://headsinhelmets.com/charity-news/>

**With your support, the award-winning Charity can expand to protect kids in every city across America!**

Howard has published a book entitled "Building a Presence in Your City" that shows lawyers how to get started with a charity and gain esteem and recognition through community outreach and charitable events:

<http://12unlimited.com/charity-program.html>

Patrick Anderson, National Program Director of the Justice For Children Foundation explained, "We are sending private invites to personal injury attorneys across the country, asking them to support our cause by joining the Ambassador Program and unite with doctors & pediatricians in a national campaign to raise awareness and provide FREE helmets to children and families throughout the nation."



"I have seen the worst of the worst, and the most tragic outcomes of catastrophic brain injuries in children," explained Spiva. "It sickens me to know these horrific deaths and lifelong trauma were so easily preventable."

**Lawyers are invited to learn more about our program and discover how to help kids in their community.**

Think of all the good we can accomplish together!

<http://12unlimited.com/lawyers-care.html>

DEDICATION

## Helmets For LIFE!



**Helmets SAVE Lives – and We Replace  
Children’s Helmets For LIFE!**

***The Justice for Children Foundation***

**<http://www.HeadsinHelmets.com>**

In his law practice, since 1984, attorney Howard Spiva witnessed too many preventable injuries to children. In 1999, he and his family decided to step into action. They formed the Justice for Children Foundation and the “Heads In Helmets” program and have given tens of 1000s of FREE helmets to kids since then.

***The Justice For Children Foundation, Inc. is a Registered 501(c)(3) Charitable Foundation with a primary mission to help prevent brain injuries in children by providing free safety helmets and safety information to parents.***

# AVOID Life Long Tragedy & GUILT!

**WARNING... READ THIS:** In many rear-end collisions, the horror for a mother or father comes when their seat back collapses and they feel the back of their own head smashing into their child's tiny forehead – and crushing it.

*The saddest part is that the lifelong guilt and suffering could have been avoided completely if only the parents had been warned – or knew ahead of time how important it is to put a helmet on your children ANYTIME and EVERY TIME that they ride in a car... – YES! Even if they are already belted into a car seat!!*



<https://youtu.be/4Kw-LJ42aT0>

Our children wear protective head gear in almost every risky sport or activity that they are involved in... baseball, football, bicycles, skate boards, martial arts, hockey players, motorcycles, scooters, snow mobiles – even race car drivers and bull riders.

*There is one glaring oversight – one activity where kids are at risk and do not commonly wear protective head gear – and that is as a passenger riding in a car, or strapped in a car safety seat.*

Most people do not realize how often a child in a car wreck ends up with a brain injury that lasts a lifetime. Too many times I have seen wrecks where no one else in the car was injured, yet a child received a traumatic brain injury. **DON'T LET THIS HAPPEN TO YOUR CHILD. Wear a Helmet. Car seats are NOT ENOUGH!**

# A Man With A Message: Children's Injuries Are NO Accident!

We are on a QUEST to protect children and prevent traumatic head and brain injuries by giving FREE "Helmets For LIFE" to kids and their families in communities across the country.

## May I share something personal with you?

For over 30 years in my law practice, I have seen the lifelong struggle of children who suffer with traumatic brain injuries and the devastating toll on their family – **and I NEVER want to see another child hurt or die from brain injuries ever again!**

I had heard the sworn testimony of pediatricians, neurologists, and brain surgeons for years – until suddenly, in 1999 I came to the realization that ALL children's head injuries are preventable.



That's when my sister, my wife and I founded The Justice For Children Foundation and began fitting helmets on kids and promoting safety for children. For many years now, we have given tens of thousands of FREE helmets to kids and teenagers.

*This journey we are on is dedicated with loving memory in honor of my sister, Elaine, who bravely fought and lost an 8 year battle with cancer in 2012. She co-founded The Justice For Children Foundation and this was her dream – that we shared together.*

# DiD You KNOW...???

## Most people may not realize:

- 1.7 million traumatic brain injuries occur each year.
- Car wrecks are the #1 leading cause of brain injury-related death.
- Over 6,000 children die each year from brain injuries.
- Helmets are a proven intervention that reduces the risk of bicycle-related head injury by about 80 percent.
- Children 0 to 19 have over 1/2 million emergency room visits each year for brain injuries.
- Brain injuries produce lifelong disability from irreversible brain damage.
- Children aged 0 to 4 years have the highest rates of brain injury-related emergency room, hospitalizations, and deaths combined.



***It is a blessing and a miracle when a helmet spares a child's life, protects them from traumatic head injury, and prevents a lifetime of hurt and guilt and suffering. Words cannot describe the heartfelt gratitude expressed by their parents.***



The Justice For Children Foundation teams up with community and business leaders throughout the year to host events and give away helmets.

This year the charity has partnered with many local businesses and medical providers to pass out FREE Helmet Certificates.

The certificate program has made it possible to deliver 1,000's of helmets to children across the nation.

We believe in giving away helmets while having LOTS of fun! We show kids that helmets are cool – so they will WANT TO wear them.

***At our events we have balloons, clowns, police, firemen, BMX bike riders, and LOTS of stickers for kids to put on their brand new safety helmets!***



# Preventing Children's Brain Injuries

## ONE Helmet At A Time!

*We provide FREE helmets to protect children in car wrecks!*

*“A child in a car seat is about the only activity remaining in America where head gear is not provided,” says Spiva.*

He continued... “Everyone else – bull riders, karate participants, race car drivers, skaters, bicyclist, football players... they all wear helmets!”

- We want kids to know that **Helmets are Cool!**
- We want parents to know that **Helmets are FREE For LIFE** and “Children's Injuries are No Accident”
- We invite lawyers and pediatricians to **JOIN the Ambassador Program** – and partner with us to bring the “Helmets For LIFE” program nationwide.
- We ask people in the media to **Give-away FREE Helmets** to their audience and help us alert parents.

**Car Safety Seats Are NOT SAFE Enough!**





**A Proud Supporter Of**  
***The Justice for Children Foundation***

**<http://www.HeadsinHelmets.com>**



***Would you like to  
volunteer & help  
spread the word?***



**Connect with us  
and together we can  
bring a FREE helmet  
give-away to kids in  
your community.**



**An attorney can BE MUCH MORE than just a lawyer!**

- You can do more than what is required.
- You can do more than just recover money.
- You can give guidance and provide solutions.
- You can encourage, inspire, and provide hope.

**MAKE IT A GREAT DAY!**

*Howard Spiva*

**(912) 920-2000**



Nothing in this world will make you feel better than doing good deeds for kids.

*I promise you that – Howard Spiva*



Learn more at: [www.HeadsinHelmets.com](http://www.HeadsinHelmets.com)

*The Justice for Children Foundation*  
**“Helmets For Life” Program**



REDEEM THIS COUPON AT  
SPIVA LAW GROUP



**FREE  
HELMET**

OUR TRAINED EXPERTS WILL PROPERLY  
FIT AND ADJUST YOUR KIDS HELMET

[www.SpivaLaw.com](http://www.SpivaLaw.com) [www.HeadsInHelmets.com](http://www.HeadsInHelmets.com)

1137 Mohawk Street, Savannah GA 31419 (912) 920-2000

**JUSTICE FOR CHILDREN FOUNDATION**

Come on down to our office and we will send you home with some of our FREE “Swag Bag” items:  
**Hats, Coozies, Pens, Fans, Fly Swatters,  
Sunglasses, Shirts & Super Cookies!**



<http://SpivaLaw.com>  
1137 Mohawk Street  
Savannah, GA 31419