

Mark A. Anderson's

# LAW TALK



June 2010

## Haltom High Wins TADD Campaign

After a month of signing pledges, the Anderson Law Firm's Teens Against Distracted Driving contest is finally over! Haltom High School was able to get the most pledges signed to not text and drive, with a whopping 89.3% of their student body! The other four schools did outstanding as well with Southwest High School coming in second with 68.5% of their students, Mansfield Summit High School finishing with 41% of their student body, Keller High School with 39.7% of their students, and Boswell High School with 27.2% of their students. Overall, 5,305 teens signed the pledge! Congratulations to all the schools that participated for your hard work and dedication! On the last day of school, I presented Haltom High School Student Council with \$500 donation for recognition of their achievement.

traced driving fatal crashes were caused by drivers under the age of 20, I thought that the best group of people to campaign to would be high school students. I was very impressed with their accomplishments, and more teens signed pledges than I originally expected.



Along with the TADD campaign, Haltom High School also educated students about the dangers of drinking and driving with a demonstration called "Shattered Dreams" that visually depicted a car accident caused by alcohol and the repercussions that stem from it. Haltom High School Student

Council was able to coordinate the campaign against texting and driving with the school's "Shattered Dreams" demonstration. Through both the distracted driving campaign and the drunk driving demonstration, Haltom students were able to understand that there are consequences to their actions.

Back in February, I announced the TADD campaign to raise awareness of the dangers of texting and driving. In exchange for signing a pledge to not text and drive, students received an orange bracelet with I PLDG 2 NT TXT N DRV on it. This served as a reminder to never use cell phones while driving because distractions cause accidents. Texting while driving caused 11% of fatal crashes in 2008, according to the National Highway Traffic Safety Administration. And since 16% of these dis-

More than anything, I want to continue to encourage teens and adults alike to stop distracted driving. Distracted driving is the leading cause of motor vehicle accidents, whether it be texting, playing with the radio, or trying to multitask (yes, putting make-up on while driving is considered multi-tasking). With over 5,000 local teens pledging not to text and drive, I think we have accomplished a lot. But hopefully even more people will see the orange bracelets and be reminded of the dangers of texting and driving.

Congratulations to all five student councils for bringing awareness at your schools. I am thrilled with the response and extremely proud of all the participants.



## Childhood Drowning: How You Can Protect Your Children In The Hottest Time Of Year

Even though the deadliest time period for drowning is historically from Memorial Day all the way through Labor Day, already thirty-one children in Texas have drowned in 2010. While swimming pools are a very popular and fun summer destination, they are a very dangerous place for children when unsupervised. Whether children are swimming in a residential or public pool, the drowning statistics say that most children who drowned have been out of sight for no more than five minutes. Accidental drowning is the number one leading cause of death in the United States with children ages one to four. In 2007, 53 of the 192 unintentional children's deaths, ages one to four, in Texas came from drowning. This year, the majority of child drowning deaths have occurred in backyard pools and bathtubs. In past years, children were more prone to drown in lakes, creeks, hot tubs, and even toilets.



Help protect your children from drowning by doing the following:

- Never leave your child alone or unsupervised near a pool or body of water.
- Make sure a child under five years old is always within an arm's length of an adult.
- Put up a fence to separate from the pool to prevent young children to wander and fall into the pool.
- Keep rescue equipment, like a life preserver, by the pool.
- Do not use air-filled swim floats as a substitute for approved life vests.
- Remove toys from the pool when children are done using them to stop them from reaching for them.
- A power safety cover that meets the standards of the American Society for Testing and Materials may be used as additional safety precaution, but not in place of a fence.
- After using the pool, make sure to lock the fence surrounding the pool so children are unable to get back in by themselves.
- Do not assume that teaching your child how to swim means that they are safe from drowning.

Accidents happen. Drowning can be fatal. And even nonfatal drowning can cause brain damage that may result in long-term disabilities. This summer, when trying to avoid the heat, please remember these tips to keep your kids safe in the water.

## Sharing Our Building: Bill White Campaign Moves In Next Door

The Anderson Law Firm welcomes the Bill White for Governor Campaign to our building for the rest of the year. Mr. White and his staff will be working on his upcoming campaign in the office right next door to ours.

Bill White is the former mayor of Houston who has secured the Democratic nomination for governor. The office is the home of the North Texas headquarters. The campaign for governor is a long and tedious process, but the office is still buzzing with activity.

Mayor White's supporters are gearing up for what some say just might be the first competitive statewide race in years. In speaking with Mayor White recently at my office, I am convinced he would do a fantastic job as our state's leader.



## From The Case Files: Why We Use Seatbelts In The Back Seat

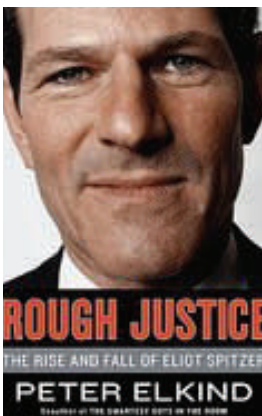
I resolved a case in May that I thought would serve as a good reminder to everyone about the law surrounding back seat seatbelts and, more importantly, why we use them. My client was a back seat passenger in a SUV being driven by a co-worker. He at first decided not to use his seatbelt, but had a second thought about it as they were driving and decided to go ahead and buckle up. It is a good thing he did as a large truck pull out in front of the SUV on Highway 114 near the old Texas Stadium. A tremendous crash occurred and my client suffered a serious neck injury which required surgery. The doctors told him that based on where he was sitting in the SUV, they believed he would have died in the accident if he had not made that important decision to buckle up.

Seatbelts are always good for protection while riding in the car, especially since 63% of people involved in fatal car accidents each year are found to not be wearing their seatbelts. A new Texas state law requires that all passengers wear seat belts, including those that are sitting in the back seat. The law became effective back in September of last year, but tickets for the offense cannot be issued until June 1, 2010. If a driver is caught without the safety belt on, or without their passengers' safety belts on, fines range from \$25 all the way up to \$250. Keep in mind that those numbers don't include court costs. Studies have shown that in states where rear seat belt use was not required, only 66% of adult passengers wore their seat belts while in the backseat, compared to the 85% of people who wore theirs in the states that required it. Along with



this new law, there is also a provision that states that kids under the age of 8 have to ride in a safety or booster seat while in the back seat, unless they are 4'9". This will help prevent serious child injuries that result from roadway accidents. It is important to encourage both children and adults alike to buckle up while they are in a motor vehicle, no matter where they are sitting. For a passenger who is traveling in the backseat at the time of their car accident, wearing a seat belt is 44% more effective at preventing death than riding unrestrained. Remember to click it to keep all passengers protected, or you will get a hefty ticket. And more importantly, it could save your life.

## Book Recommendation: Rough Justice: Rise and Fall of Eliot Spitzer, by Peter Elkind



I had always admired Eliot Spitzer, who rose to fame as the Sheriff of Wall Street when he was the Attorney General of New York. He had the brains and gumption to take on corruption in the financial world. He seemed like a man of principal who looked out for the little guy. I liked that. He was elected as Governor of New York in a landslide, and in March of 2008, it all came crashing down when Gov. Spitzer got caught with a prostitute.

I have always been fascinated by the stories of the powerful politicians who threw it all away with reckless conduct fascinating, so I was happy to learn that my friend Peter Elkind

was going to take a sabbatical from his job as a writer for *Fortune* magazine and write a book about Spitzer. Peter had known Eliot since their days at Princeton when Spitzer was President of the Student Body and Peter interviewed him for the school newspaper. Who knew that years later, Peter would still be interviewing Spitzer—this time on some pretty dicey topics. In what I see a major coup, he was able to gain access to Eliot and had multiple interviews with him. The book offers tremendous insight to the political circus that surrounded Spitzer at all times. I was amazed at the amount of detail uncovered by Peter, who did a fantastic job of giving the reader a true picture of the real Eliot Spitzer. Of course, Peter covered the infamous night in Washington when Spitzer, as Client No. 9, engaged in the services of an "escort." This certainly wasn't the first time for Spitzer. The book uncovers the long and crazy story of his fall from power, not to mention his erroneously placed sense of invincibility. The book is a great read. Congratulations to Peter for a job well done.



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## Dallas Bike Plan 2011: Paving the Way to Share the Road

The City of Dallas will soon enact the 2011 Bike Plan to increase the amount of people riding bikes but reduce the number of bicycle accidents. Other parts of the plan will focus on bike education, culture, signage, funding, connectivity and routes.



The plan hopes to ensure safety on the main roads so more people will use their bikes as a source of transportation. The plan will include the 450 miles of roads in the Dallas area. City officials unveiled a new web site to check out if you have any interest in following the development of this plan over the next year. The site— [www.communitywalk.com/bikedallas](http://www.communitywalk.com/bikedallas)—presents a interactive map that allows you to mark your favorite biking routes and flag problem areas up until June 30. Then city and regional planners will then work on developing a public plan.

As always, it is important to be aware of the bicycle safety concerns in the Dallas and Fort Worth area. The U.S. Department of Transportation has a policy on bicycle accommodations to make certain that the public is aware of the danger that comes with riding on a main street. Every year over 44,000 cyclists are hurt in traffic crashes, and the City of Dallas is doing a fine job in attempting to lessen the chances of these accidents.