

# SAFE HARBOR

A monthly newsletter for the Maritime worker from  
The Law Offices of Lyle C. Cavin, Jr.

*February 2012*



Thank you for your maritime service and taking the time to review our Newsletter. We at the Law Offices of Lyle C. Cavin, Jr. hope you find the following information informative and helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



## DON'T DELAY WHEN INJURED!

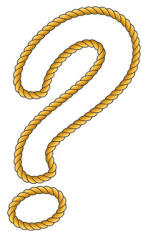
### **Prompt Intervention Increases Jones Act Litigation Success:**

If you've been injured on a vessel one of the wisest methods to protect your interests and financial future is to promptly retain counsel to conduct a thorough investigation. The first step is to find a well-respected attorney who understands maritime law. An experienced maritime lawyer understands that with the passage of time witness memories fade, evidence can be destroyed, and important documents get misplaced or lost. Your attorney can conduct an investigation and then determine the best method of handling your claim, whether it is informally or by initiating suit.

Many times employers are clever in attempting to delay an injured seaman from obtaining legal counsel. Their tactics have included furnishing advances or providing less rigorous employment at the same wage rate on a temporary basis. Many seamen who have abided by this ploy have lost out in the end, either by being laid off after the statute of limitations has run, or the long delay has caused supportive evidence to be manipulated or destroyed.

Don't be fooled. There is no substitute for covering your medical needs or ensuring for your financial future by promptly retaining counsel to protect your interests and conduct critical and timely investigation. You cannot be discriminated against for bringing a claim!

## QUESTION FROM THE BRIDGE



*Dear Mr. Cavin,*

*My doctor has told my Maritime employer that I have reached maximum cure, what does that mean?*

*Scott F. New Orleans*

If you are a seaman who has been injured while working your employer owes you "cure" - medical care - for injuries or illnesses that you suffered while in the service of the vessel. Your employer is required to pay for your cure until you reach "maximum cure". This is also referred to as "maximum medical improvement".

Once an injured worker reaches a point in his recovery after which he will not improve further, or if he is permanently disabled and treatment will no longer improve his condition, he has reached maximum medical improvement. At this time, maintenance and cure payments end. Even if an injured seaman still requires medication or treatment to control pain, once his physical condition has reached its maximum medical improvement these benefits will cease.

Employers and injured seamen can disagree as to when the point of maximum medical improvement is reached. Consult with your maritime attorney to ensure you are receiving the cure that you are legally entitled to after an injury.

### About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades at sea, on the docks, on our U.S. coastal waters and inland waterways have turned to the maritime law firm of Lyle C. Cavin, Jr. & Associates in Oakland. Today, we are proud to be recognized as one of the preeminent maritime law firms serving injured marine workers nationwide, as well as one of the most successful personal injury litigation firms serving victims of negligence in the San Francisco Bay Area and throughout the West Coast.

### Team Approach to Every Personal Injury and Jones Act Claim

When you retain Lyle C. Cavin, Jr. & Associates with a Jones Act injury claim or personal injury claim, you don't get just one attorney, you get our entire team of dedicated professionals. Our attorneys offer more than 150 combined years of courtroom and negotiated claims settlement experience. We will represent your interests with unwavering dedication, speed and expertise.

Law Offices of Lyle C. Cavin, Jr. & Associates

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1888CREWLAW or 1888-273-9529

510-444-2501

Fax: 510-444-4209

[www.sealawyer.com](http://www.sealawyer.com)