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PERSONAL INJURY ATTORNEYS

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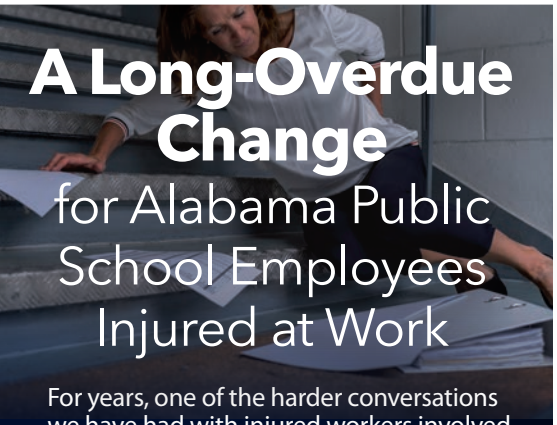
FALL | 2026



A Long-Overdue Change for Alabama Public School Employees Injured at Work

For years, one of the harder conversations we have had with injured workers involved Alabama public school employees.

A teacher gets hurt breaking up a fight. A custodian falls while working. A cafeteria employee suffers a serious injury.

They call a lawyer hoping for help, only to learn that Alabama public education employees historically have not had the same workers' compensation protections available to most Alabama workers.

That is finally changing.

Alabama has enacted the Maryann Leonard Educators' On-the-Job Injury Act, creating a new injury compensation program for public education employees. Under the Act, the new system must be implemented by October 1, 2026

I had hoped Alabama would simply extend our existing Workers' Compensation Act to public school employees. The Legislature chose a different approach. Instead, the law creates a separate program with its own board and claims process while incorporating many concepts from Alabama workers' compensation law.

There will undoubtedly be questions as the new system begins operating. Employees, school systems, doctors, lawyers and claims administrators will all have to learn how it works in practice.

Still, this is an important change.

Teachers and the other people who work in our public schools are among the most important workers in any community. For years, we have had to tell injured school employees that they lacked protections available to many other Alabama workers.

I am glad that conversation is finally changing.

Head-On Collisions in Rural North Alabama: Why They Are So Severe

There are a lot of things I love about rural North Alabama. I grew up here and spent my childhood on my family's farm outside Decatur. I still enjoy driving the rural roads that connect our farms, small communities, churches and homes.

But those roads can also produce devastating crashes.

I was reminded of that recently while preparing a wrongful death case for trial. The collision happened at night on a dark, narrow road in Lawrence County. Another driver suddenly crossed into the opposing lane and struck my clients head-on. A husband and father died.

We investigated the crash carefully. I inspected the scene during both daylight and darkness. Experts examined the vehicles, downloaded electronic data and reconstructed what happened. The evidence showed the other driver was speeding and driving too fast for the distance illuminated by his headlights.

The statistics show why rural crashes deserve attention. According to Alabama's 2024 crash data, about 24% of reported crashes occurred in rural areas, yet approximately 58% of the state's traffic deaths occurred there.

Rural roads present unique risks. Many are two-lane roads with narrow shoulders, curves, hills and little or no lighting. Wildlife, debris or another unexpected hazard can cause a driver to react suddenly. And when a vehicle crosses the centerline, an oncoming driver may have nowhere to go.

Serious head-on crashes also require serious investigation. Speed, distraction, braking, vehicle data, physical evidence and scene conditions may all help explain why a vehicle crossed the centerline.

A quiet country road may feel safer than heavy Huntsville traffic. But one vehicle crossing the centerline at the wrong moment can change a family forever.





Personal Injury Lawyers Defend the Right to a Jury. Shouldn't Our Clients Have That Right Too?

Personal injury lawyers spend a lot of time defending the civil justice system.

We tell injured people that juries matter. We argue that ordinary citizens should have access to the courthouse when an insurance company, corporation, nursing home or trucking company causes harm.

That is why I have a problem with personal injury law firms requiring their own clients to agree to mandatory arbitration.

A recent dispute involving Morgan & Morgan brought the issue into focus. A former client alleged that his injury case had been settled without his permission. Morgan & Morgan disputed that allegation and maintained that the client had authorized the settlement. The dispute did not go before a jury. It went to arbitration, where an arbitrator ultimately entered a substantial award for the former client.

The result is not really the point.

The larger question is why a personal injury client should have to surrender the right to court and a jury simply to hire a lawyer.

Arbitration can make sense when sophisticated businesses knowingly negotiate that choice. But an injured person hiring a lawyer is different. That person may be hurt, unable to work, worried about medical bills and relying upon the lawyer for guidance.

Arbitration can also limit discovery and appellate review in addition to eliminating a jury.

Plaintiff lawyers ask juries to hold others accountable. We should be willing to live by the same principle ourselves.

If we believe in the civil justice system for our clients, we should trust it when the issue involves us too.

When a Knee, Foot, Hand or Arm Injury Becomes More Than a "Scheduled Member" Injury

Alabama workers' compensation law treats certain injuries differently depending upon the part of the body involved.

Injuries to hands, arms, feet and legs are generally governed by a statutory "schedule." The law assigns a specific number of weeks of compensation to the loss or loss of use of those body parts.

That can produce harsh results.

For example, the schedule assigns 200 weeks of benefits to the complete loss of a leg. If a worker has a 5% permanent impairment to the leg, the permanent benefit may be only 5% of those 200 weeks - even when the injury seriously affects the worker's ability to perform a physical job.

But there is an important exception.

An injury that begins in a scheduled body part does not always remain a scheduled injury. Alabama courts recognize that when the effects of an injury extend to other parts of the body and interfere with how those parts function, the claim may be treated differently.

Consider a worker with a serious knee injury who develops a permanent limp. Over time, the altered gait may produce problems involving the hip or lower back. A foot injury may affect balance and walking. A serious extremity injury may have consequences well beyond the place where the original injury occurred.

Not every painful knee, foot or arm injury becomes a whole-body claim. The facts and medical evidence matter.

That is why medical documentation is so important. Injured workers should accurately report legitimate related symptoms when they develop rather than waiting until the end of the case.

In Alabama workers' compensation cases, sometimes the location of the original injury is only the beginning of the analysis.



Truck Accidents
Present Unique Problems

Dealing with liability from an auto accident can be complicated. When a semi-truck or other commercial vehicle is involved, it becomes even more complicated. We're here to help.

After an accident, legal liability must be determined. In addition to basic factors like driver error, several other factors come into play when a trucking company is involved. Trucking companies must follow strict federal safety rules set by the Federal Motor Carrier Safety Administration (FMCSA). These regulations exist to protect ordinary drivers and keep our roads safe. Under these rules, trucking companies can be held liable for an accident by one of their drivers for several reasons.

Hours of Service Violations: It is illegal for a company to pressure drivers to ignore federal rest rules or skip mandatory sleep breaks.

Negligent Hiring: Commercial trucking companies are responsible for making sure their employees have clean driving records. A history of dangerous driving, DUIs, or safety violations should keep the driver off the road. If it doesn't, something has gone wrong and the company can be held responsible.

Improper Maintenance: Worn-out brakes, bald tires, busted lights and other items that need repair are the responsibility of the company.

Negligent Training: New drivers should be properly trained in all aspects of their job. If not, the company will have to answer for it.

Accidents happen, but if an accident happens because a trucking company cut corners to maximize profits, they must be held accountable. This isn't always easy. Proving negligence is a challenge that requires the assistance of an experienced attorney. The company will certainly retain experienced counsel. They will also have insurance adjusters spring into action when an accident happens, with the goal of protecting the company's money, not your health. If you or a loved one is involved in a crash with a commercial vehicle, don't go it alone. Call our office for a free consultation.

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Fall Word Search

F	X	W	H	B	F	G	H	Y	H	M	B
J	O	K	U	L	I	O	O	H	I	N	O
V	J	O	N	U	O	A	L	M	K	Z	N
G	C	W	T	D	S	R	O	Q	I	P	F
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C	A	R	N	I	V	A	L	I	A	M	S
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P	L	W	O	R	C	E	R	A	C	S	B
M	A	K	R	L	O	P	E	A	V	S	T

APPLES
BICYCLE
BONFIRE
CAMPING
CARNIVAL
COLORFUL
FOOTBALL
HIKING
HOODIES
HUNTING
LEAVES
PUMPKINS
SCENIC
SCARECROW
WALKING

Classic Pumpkin Bread

Ingredients:

- 1 2/3 cup (210 grams) all-purpose flour (spooned & leveled)
- 1 teaspoon of baking soda
- 1/2 teaspoon of baking powder
- 1/2 teaspoon salt
- 1 1/4 teaspoons ground cinnamon
- 1/4 teaspoon ground ginger
- 1/4 teaspoon ground nutmeg
- 1/8 teaspoon ground cloves
- 1 cup (250 grams) pumpkin puree (not pumpkin pie filling)
- 3/4 cup (150 grams) granulated sugar
- 1/2 cup (100 grams) light brown sugar packed
- 1/2 cup (120 ml) oil
  1/4 cup (60 ml) buttermilk
- 2 large eggs
- 1 teaspoon pure vanilla extract
- Optional add in—nuts or chocolate chips

Instructions:

1. Preheat the oven to 350°F (177°C). Spray a 9x5 loaf pan with nonstick cooking spray, line the pan with parchment paper, and set aside.
2. In a large mixing bowl, whisk together the flour, baking soda, baking powder, salt, cinnamon, ginger, nutmeg, and cloves until well combined. Set aside.
3. In a separate large mixing bowl, whisk together the pumpkin puree, granulated sugar, brown sugar, oil, buttermilk, eggs, and vanilla extract until fully combined. Combine the wet and dry ingredients and mix them together until just combined.
4. Pour the batter into the prepared loaf pan and spread it around into one even layer. Bake for 50 to 60 minutes or until a toothpick inserted into the center comes out clean. If needed, cover loosely with foil to prevent excess browning on top of the bread.
5. Transfer to a wire rack to cool in the pan for 20 minutes, then carefully remove the bread from the pan using the overhang from the parchment paper and return to the wire rack to cool completely.

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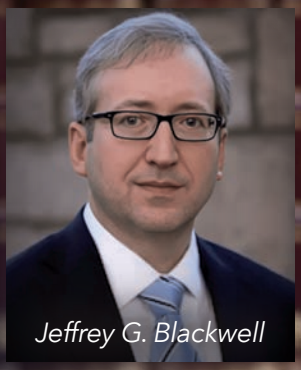

Jeffrey G. Blackwell



Jennifer L. McKown

Practice Areas

Bicycle Accidents
Boat Accidents
Car Accidents
Commercial Truck Accidents
Dangerous Drugs
Defective Medical Devices
Construction Accidents
Nursing Home Abuse
Premises Liability
Product Liability Claims
Sales Commission Claims
Traumatic Brain Injuries
Truck Accidents
Trust Litigation
Workers Compensation
Workplace Accidents
Wrongful Death

The greatest professional compliment we can receive is when one of our clients refers a friend, family member, or neighbor to our firm. ***Thank you!*** We appreciate your confidence in us.

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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please call the appropriate legal professional.

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Blackwell Law Firm at UAH



Earlier this month, Alissa and I had the opportunity to attend the University of Alabama in Huntsville Internship & Job Fair.

We were there primarily to meet students interested in a new internship opportunity with our firm. We came away impressed by the students we met and received several strong resumes.

But one of the best parts of the event was simply being there.

In addition to talking with students, we enjoyed meeting representatives from other Huntsville-area businesses and organizations and telling people a little more about Blackwell Law Firm and the work we do throughout North Alabama.

As our firm grows, we want to stay connected to the community around us. That includes supporting local schools and organizations, meeting young people beginning their careers, and building relationships with other businesses that are helping Huntsville and North Alabama grow.

Thanks to UAH for hosting a great event - and to everyone who stopped by our table to visit with us.

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