

# CHAMLIN ULIANO & WALSH, PA

Attorneys At Law



## I May Be Italian, but I Have the Luck of the Irish

BY CHARLES J. ULIANO, ESQ.

It is no secret that my family does not hail from the Emerald Isle, but this March I can't help but feel like I have been touched by the Luck of the Irish. I have my health, the love of my children and grandchildren, great friends, and I get to go to work every day and do a job that I absolutely love.

There's an old adage that if you do what you love, you will never work a day in your life. I can honestly say that after over 40 years, I still love going to work every day. I am often asked if I am ready to retire anytime soon. While retirement, in theory, sounds great, I am hard-pressed to think of a hobby or passion of mine that I would enjoy nearly as much as my work.

Despite doing this job for over four decades, that first interaction with a client is never routine to me. I am humbled that people come to seek my counsel during one of the most vulnerable and stressful moments of their life. I recognize that potential clients are under incredible amounts of pressure to make sure they are making the right decisions for them and their families. I cannot say this enough, I am honored that my clients rely on me to be their partner and advocate throughout their legal journey.

Sometimes I may only work with a client for one court visit, while other matters may take years to adjudicate. No matter the time we spend together, I feel lucky to have shared that moment with my client and it is always my sincerest hope that I have made their life better.

Life over the past few years has been fraught with uncertainty, but one thing I am sure of is that I am one lucky man.

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For more information about this event visit [littlesilverfd.org](http://littlesilverfd.org)



CHAMLIN ULIANO & WALSH, PA is a proud sponsor of Tri Shore Little League

## What Is the Difference Between a Personal Injury Case and Worker's Compensation Case? Can I Have Both?

BY KEN CHAMLIN, ESQ.

If you have been injured, you are likely wondering if you have a case to compensate you for your injury, and the answer is: it depends. Both personal injury and worker's compensation cases can compensate you for an injury, but there are some very important distinctions.

To pursue a personal injury claim, you must have been injured as the result of someone else's negligence (fault). Common personal injury cases include auto accidents and slip-and-falls. In a worker's compensation case, negligence (or fault) is not required, but you must have sustained the injury within the scope of your employment. Another thing that differentiates personal injury claims from workers compensation claims is under New Jersey Workers Compensation law, there is no payment for pain and suffering; the award is based solely upon establishing a functional disability. Also, in worker's compensation, the injured employee is not entitled to receive a trial by jury; it is a judge only court. Whereas, in a personal injury claim, the person is entitled to have the case tried before a jury.

Another interesting distinguishing feature between worker's compensation and personal injury occurs at the conclusion of the matter. Once a personal injury claim is ultimately resolved by way of settlement or a jury, the case is over forever. In a worker's compensation setting, in many cases, after a case is resolved and a person receives an award, the law permits the injured employee to reopen the claim within 2 years of the payment of the award.

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Our Attorneys at the **Trial Bar Awards Reception of Trial Attorneys of New Jersey Dinner** in October of 2022, where Charles J. Uliano, Esq. was a Trial Bar Award Recipient; From left to right: Andrew T. Walsh, Elizabeth Uliano Giblin, Charles J. Uliano, James J. Uliano and Kenneth W. Chamlin



# Staff Spotlight: Mandy Pesce

How long have you been with CU&W and what do you do here?

**I have worked here for 20 years. I am a Legal Assistant, managing the Workers Compensation Department.**

What is your favorite thing about working at CU&W?

**My co-workers and bosses. I am grateful, knowing that I am a valued part of our CU&W team.**

What is a fun fact about you that few people are aware of?

**I am a retired hip-hop and R&B recording artist, singer/songwriter. I sang all my life, wrote & recorded dozens of songs in dozens of studios, featured on numerous projects for other artists, performed on so many stages and I was in a music video, too!**

One thing you would tell your 13-year-old self, what would it be?

**Do everything you dream to do. Make amazing memories. Keep taking lots of pictures. Be in the pictures! The time will pass whether you do all of it or none of it. So, just do it all. You've got nothing to lose!**

What is your favorite pastime?

**Spending carefree summers with my siblings, friends and cousins in the pool and at Great Adventure.**

What is one thing you cannot live without?

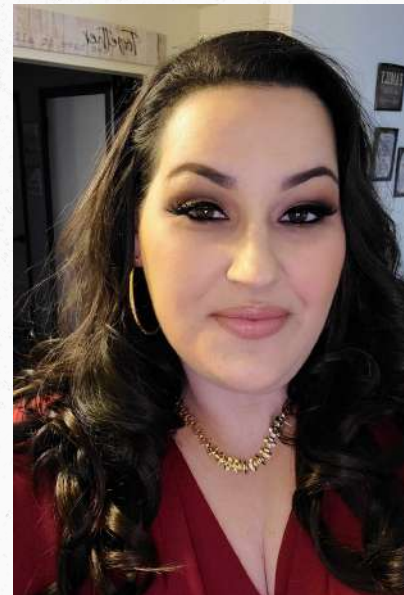
**My 3 absolutely extraordinary children. They light up my world.**

In five years, what are your visions and hopes?

**I hope to travel more often with my family and see beautiful different parts of the world up close.**

Which cartoon character would you most wish to swap lives?

**That's easy. Road Runner... Meep! Meep!**



March & April CU&W Birthdays

March 18th- Ken Chamlin

# DO I REALLY NEED TITLE INSURANCE?

By: Andrew T. Walsh, Esq.

Purchasing a new home is likely to be the biggest purchase of your life. It's understandable that you may be looking to cut costs wherever possible but purchasing title insurance is a must.



Typically, title insurance is required by any lender when purchasing a home. Although not required if you are purchasing a home using cash, I still strongly recommend that all my clients purchase title insurance.

## What is Title Insurance?

Title insurance is insurance, but it is not your typical type of insurance. Title Insurance ensures that there are not any defects with the property title going backwards for which you may not have been aware. Subject to exceptions that are identified in the policy, the title company will defend on your behalf against any claims or defects. You can obtain a Standard or Enhanced policy; the Enhanced policy provides coverage for approximately three times the risks that are covered under a Standard policy. The cost of title insurance is a onetime fee paid at closing that remains in effect for the duration of time that you own the property. Even though the chance of a claim is relatively low, the potential loss and cost without coverage is high.

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## WHAT IS THE DIFFERENCE BETWEEN A PERSONAL INJURY CASE AND WORKER'S COMPENSATION CASE? CAN I HAVE BOTH?

### *Can I have both a worker's compensation and a personal injury case?*

It depends. Worker's compensation law creates immunity against the employer and any co-workers from a personal injury suit, even if negligence occurred. As an example, assume an employee of a supermarket is walking within the supermarket which was recently mopped. If the employee falls, and injures a body part, the co-worker who mopped the floor and carelessly did not provide warning cones is insulated from a lawsuit, as is the employer. However, if the above scenario happens to you, but you do not work for the supermarket and were at the supermarket because your boss asked you to pick-up a snack for an office party, you can have a personal injury suit against the supermarket and a worker's compensation case because you were hurt in the course of your employment.

Every case is fact specific, and the facts of your case alone are determinative as to what type of case you can pursue and what type of award to which you may be entitled. It is important to seek counsel from an experienced attorney immediately after you are injured to advise you what the best course of action is for you.