

UTLEY LAW FIRM

Your Personal Injury Deserves Personal Service

WINTER
2026

■ NICK UTLEY, OWNER

Drunk Driving Accidents in Georgia

What Victims Should Know About Their Rights

From Valentine's Day dinners to winter parties, February is a month of celebration. Unfortunately, festivities often lead to poor decisions behind the wheel. And in Georgia, drunk driving remains a persistent threat. According to the Governor's Office of Highway Safety, alcohol is a factor in nearly one out of every four traffic fatalities statewide.

It's a serious problem, and under state law, victims of DUI crashes have unique rights that go beyond those involved in a standard car wreck claim. The Utley Law Firm elaborates below.

1. Punitive Damages: Punishment for Recklessness.

In a typical fender-bender, you can recover money for your medical bills, lost wages, and pain and suffering (Compensatory Damages). But DUI cases are different. Because drunk driving shows "willful misconduct" and a "conscious indifference to consequences," Georgia law often allows victims to seek Punitive Damages. These aren't just to pay your bills; they are designed to punish the driver and deter them (and others) from doing it again.

The Cap Exception: While many punitive damage awards are capped at \$250,000, there is **NO CAP** on punitive damages in Georgia if the driver was under the influence of alcohol or drugs.

This is a critical distinction that can significantly increase the value of your case.

2. It's Not Just the Driver (Dram Shop Liability)

Sometimes, the person behind the wheel isn't the only one responsible. Under Georgia's **Dram Shop Act**, a bar, restaurant, or even a social host can be held liable if:

- ✓ They knowingly served alcohol to a minor.
- ✓ They knowingly served a person who was "noticeably intoxicated" and knew that person would be driving soon.
- ✓ If a local bar kept pouring drinks for a stumbling patron who then drove off and hit you, we can investigate the establishment's role in your injury.

3. Rights for Passengers and Families

Passengers: If you were riding in a car hit by a drunk driver (or even if you were a passenger in the drunk driver's car), you have rights.

- You typically cannot be held responsible for the driver's bad decision, and you can file a claim against their insurance to cover your injuries.

Families: If a loved one was tragically killed by an impaired driver, the surviving family has the right to file a **Wrongful Death** claim.

- This allows you to recover the "full value of the life" of the deceased, including lost future income and the intangible value of their companionship.

4. Criminal vs. Civil: Two Separate Roads

The state will prosecute the driver for the crime of DUI. That handles the jail time and fines. But the criminal prosecutor **does not work for you to get your medical bills paid**. You must file a **separate Civil Claim** to recover your financial losses. Importantly, we can often use evidence from criminal cases (like **dashcam** footage or **breathalyzer** results) to prove liability in your civil case.

Protecting Your Future

If you are hit this winter, your focus should be on healing. Let The Utley Law Firm handle the fight.

The Best Buffalo Chicken Dip

1. **Preheat** the oven to 350 °F (175 °C).
2. **Place** chicken onto a large sheet of foil and sprinkle evenly with salt, pepper, and garlic powder. Wrap foil around chicken to form a pouch, sealing it around the edges. Place foil pouch onto a rimmed baking sheet.
3. **Bake** in the preheated oven for 1 hour. Remove from the oven and let stand for 15 minutes to cool slightly.
4. **Meanwhile**, increase the oven temperature to 375 °F (190 °C). Lightly grease a baking dish with cooking spray.
5. **Stir** together cream cheese, ranch dressing, and hot sauce in a large bowl until well combined.
6. **Roughly chop or shred** cooked chicken. Add to cream cheese mixture along with Cheddar cheese; stir to combine. Pour mixture into the prepared baking dish and sprinkle with blue cheese.
7. **Bake**, uncovered, until bubbly and golden around the edges, about 30 minutes. Remove from the oven and let stand for 10 minutes. Sprinkle with green onions and serve.

3 (6 ounce) skinless, boneless
chicken breast halves
1 tsp kosher salt
1/2 tsp ground black pepper
1/4 tsp garlic powder
cooking spray
2 (8 ounce) packages cream
cheese, softened

1 cup ranch dressing
1 cup hot sauce
(such as Frank's RedHot)
1½ cups shredded Cheddar cheese
1/3 cup crumbled blue cheese
3 stalks green onion, green parts
only, thinly sliced



Recipe courtesy of [allrecipes.com](https://www.allrecipes.com)

NO WIN, NO FEE ■ PERSONAL ATTENTION ■ FREE CONSULTATION
MILLIONS OF DOLLARS RECOVERED ■ DEDICATED TO JUSTICE



Sniff Out Trouble With Insurance Adjusters!

GUS THE LEGAL BEAGLE SAYS:

As you know, I'm a very friendly hound. But when insurance adjusters are sniffing around, my tail stops wagging. **They might seem nice, but sometimes, they're not!** I ALWAYS WATCH FOR...

✓ THE "RECORDED STATEMENT" TRAP:

- They want to record you saying, "I'm fine" or "I'm sorry."
- Later, they might use it against you, damaging your claim.

✓ THE "QUICK TREAT" OFFER:

- They might wave a small check in front of you right away.
- If you sign off, you can't pursue further compensation later, when bills are piling up!

HERE'S MY TIP:

If an adjuster calls, play it cool. **Don't roll over!**

Just tell them:

"I'm letting my attorney handle that. **You can talk to Utley Law.**"



3625 Cumberland Blvd SE
Suite 970
Atlanta, GA 30339



404.831.2921



404.937.5554



Utley Law Firm, LLC

HOURS

Monday - Friday 9 a.m. – 5 p.m.

Saturday & Sunday by appointment only

UTLEY LAW FIRM

Personal Injury • Personal Service

3625 Cumberland Blvd SE
Suite 970
Atlanta, GA 30339

What Our Clients Are Saying About Us!

S.P.

The entire team was helpful, friendly, and communicative throughout the process of filing a lawsuit after my car accident. I couldn't have asked for a better team to represent me.

M.B.

Earlier this year, I was involved in an accident that heavily affected me mentally and physically. That's when Michael stepped in and helped me with my case and made sure everything was going to be okay. Michael and Utley team communicated consistently, answered any question I had, and made me feel like their No. 1 priority. I'm forever grateful for what they were able to do for me during this process.



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MARKETING

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