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your INFORMATIVE SOURCE FOR TOPICS OF INTEREST AND INSIGHT

Winter Weather DRIVING TIPS

BY DAN AMERT

Winter is here, and driving conditions can vary from clear skies and sunny conditions to blizzard conditions and every possible condition in between. Driving safely is your top priority as well as that of your family and those who ride with you.

Here are some tips on handling winter driving conditions:

1. Slow Down – Controlling or stopping your vehicle is more challenging when the road surface is covered with snow or sleet. The NHTSA in 2023 said there were an estimated 101,390 traffic crashes reported during snow/sleet conditions. Slowing down to increase your distance between yourself and the vehicle in front of you will give you enough time and distance to stop for vehicles ahead of you.

2. Don't Crowd the Plow – Snowplows travel much slower than normal traffic, make wider turns, and may overlap lanes to clear roadways of snow and sleet. If you are behind a snowplow, stay back far enough to let the driver do their job safely. Use extreme caution and give the snowplow extra room if you decide to pass.

3. Don't Use Cruise Control – You may lose control of your vehicle with the cruise control if you hit an unexpected patch of black ice or unplowed snow.

4. Bridges and Overpasses Freeze First – watch for frozen ice and slush on bridges and overpasses. Air flowing under the bridge or overpass reduces the temperature of the bridge or overpass much faster than the roadway.

Preparing for an Emergency - If you are stopped or stuck in wintry weather, stay focused on you, your passengers, and your vehicle.

1. Bring an emergency kit with items such as:
a. Snow Shovel.
b. Sand or Kitty litter (abrasive material if you get stuck).
c. Jumper Cables.
d. Flashlight and warning devices like flares or emergency markers.
e. Blankets.
f. Cell phone with a charger.
g. Water.
h. Food (candy bars, nuts, and other high-energy snacks).
i. Any necessary medicines.
2. Stay with your stopped or stalled vehicle.
3. Don't overexert yourself.
4. Keep your exhaust pipe clear of snow to prevent carbon monoxide from building up inside your vehicle.
5. Run your vehicle engine only long enough to stay warm.

I had first-hand experience with winter driving after Christmas 2025. I was driving from Minneapolis to Sioux Falls on December 28th. As I left Minneapolis, the wind was blowing and it was snowing a bit. As I headed south on I-35, I said to myself, "This isn't that bad." As I reached north of Albert Lea, the weather changed dramatically. Snow was falling and flying in every direction. I slowed down to about 40mph heading west on I-90. The conditions deteriorated further, and I put on my flashers. I could barely see the vehicle ahead of me, the lines on the road, and the car behind me. Many times, I couldn't see beyond my front end. When I reached Jackson, Minnesota, I pulled off the Interstate because it was just too dangerous to drive. Fortunately, I made in home without an major issues.

Northern Plains Justice wishes you safe travels this winter season.

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THE SWEET SPOT BETWEEN SLACKTIVISM AND RIOTING

By Bill Sims

There's a lot going on in the world right now. As I write this article, news of riots and protesting are rampant with anti-ICE conflicts that include violence occurring with regularity. I don't know if rock throwing, yelling, burning property, screaming, threatening violence were ever considered effective change agents, but those tactics seem to be employed with frequency lately. It seems like the polar opposite of another tactic that was regularly in the news just a handful of years ago, slactivism. Websters defines slactivism as "the practice of conspicuously showing support for a cause (as by posting on social media or hanging a flag or sign) without taking any real steps to effect change." Somewhere along that spectrum is another more recent term, virtue signaling—"the act or practice of conspicuously displaying one's awareness of and attentiveness to political issues, matters of social and racial justice, etc., especially instead of taking effective action." Considering those options, I have to ask, isn't there another choice? Something that can be effective for introducing change that doesn't involve risk to life or property?

To that end, I offer engagement—the state of being involved in an issue. Our local, state, and federal governments were designed to operate on the principles of engagement. I suggest at least three of those principles are knowledge, conversation, and curiosity. First, knowledge. We need to educate ourselves on the issues. Let the facts drive our opinions, not our political alignment or tribe. Second, conversation. We need to have real discussion with each other about the facts and interests of those affected by each issue. Note, conversation is talking with people, not at them.

Conversation drives the need for the third element, curiosity. We must approach conversations genuinely curious to learn about facts we may not know, interests we may not understand, and possibilities we have never considered. Without curiosity, we cannot reach mutually acceptable paths forward. Without curiosity, each of us is essentially saying that we just wish everyone was exactly as smart as we are. Except, if that were true, we'd also achieve solutions exactly as dumb as we are too. So instead of hearing something and declaring it wrong, stupid, or ineffective, we should first ask, "What don't I understand?" and "What else might be true?" Leading with questions of curiosity will broaden your view, pave the way for better conversations, and create better solutions to the issues of the day.

Rest assured there will continue to be an abundance of issues arising daily that may need your attention. Don't complain, slack off, virtue signal, or riot—engage on the issue with others. Talk to neighbors, legislators, and leaders. Get involved in the civic process. Most issues are too big to solve without the help of others. Engaging with the issues also provides the benefit of a sense of empowerment. We may not be able to fix everything from where we sit, but we can be a part of the solution.

THE HIDDEN DANGERS OF REPRESENTING YOURSELF WITH A.I.

Artificial intelligence tools are becoming more accessible every day. While AI can be useful for basic research or general information, using AI to ***prepare legal paperwork or represent yourself in a personal injury claim*** is extremvely risky—and often costly. At Northern Plains Justice, we are seeing an increasing number of injured individuals lose compensation after relying on AI-generated documents instead of experienced legal counsel.

If you were injured in Sioux Falls or anywhere in South Dakota, understanding the limitations of AI and the dangers of self-representation could protect your rights and your financial future.

Why Personal Injury Claims Are Not "DIY" Legal Matters

Personal injury cases involve far more than filling out forms. They require:

- Knowledge of South Dakota liability laws
- Understanding insurance policy language
- Accurate calculation of damages
- Compliance with strict deadlines and procedural rules

Insurance companies employ teams of adjusters and attorneys whose goal is to ***minimize payouts***. When an injured person represents themselves—especially using AI-generated paperwork—the imbalance is immediate and severe.

If you were injured in Sioux Falls or anywhere in South Dakota, understanding the limitations of AI and the dangers of self-representation could protect your rights and your financial future.

The Risks of Using AI to File Injury Claims

AI tools are not lawyers. They do not understand the facts of your case, evolving laws, or how insurers evaluate claims. Common risks include:

1. Incorrect or Incomplete Legal Filings

AI frequently generates documents that:

- Omit legally required elements
- Misstate facts or liability standards
- Use generic language that weakens claims

Even small errors can lead to denied claims or reduced settlements.

2. Missed Deadlines Under South Dakota Law

South Dakota has strict statutes of limitations for personal injury claims. AI tools do not track deadlines, and insurers will not provide reminders. Missing a filing deadline can permanently bar recovery.

3. Undervaluing Your Case

AI cannot properly evaluate:

- Future medical costs
- Long-term disability
- Lost earning capacity
- Pain, suffering, and emotional distress

As a result, self-represented claimants often accept settlements far below what their case is actually worth.

Insurance Companies Exploit Self-Represented Claimants

Insurance adjusters are trained to identify claimants who do not have legal representation. When paperwork is generated by AI or submitted without an attorney:

- Recorded statements may be used against you
- Settlement offer may be much lower.
- Liability disputes may be more aggressively asserted

Once you accept a settlement or sign a release—often generated or misunderstood through AI—***you cannot reopen the claim.***

AI Cannot Negotiate or Litigate on Your Behalf

Personal injury claims frequently require:

- Strategic negotiation
- Evidence development
- Expert testimony
- Litigation readiness

AI cannot appear in court, conduct depositions, challenge insurance tactics, or adapt strategy as a case develops. Without an attorney, insurers know there is little risk of legal escalation.

Why Legal Experience Still Matters in the AI Era

At Northern Plains Justice, we use technology responsibly—but never as a substitute for legal judgment. An experienced Sioux Falls personal injury lawyer:

- Protects your legal rights
- Identifies all sources of compensation
- Handles insurer communications
- Prepares cases as if they will go to trial

This approach consistently results in stronger outcomes than self-representation.

When to Speak With a Sioux Falls Personal Injury Lawyer

You should contact an attorney immediately if:

- You were injured in a car, truck, or motorcycle accident
- An insurance company requests a recorded statement
- You are considering using AI-generated legal documents
- You have already filed paperwork and are unsure if it was done correctly

Early legal guidance often prevents irreversible mistakes.

Contact Northern Plains Justice

If you or a loved one has been injured and is considering handling a claim alone—or has already relied on AI-generated paperwork—***do not wait.***

Northern Plains Justice provides trusted legal representation for personal injury victims in ***Sioux Falls and throughout South Dakota.***

AI BILL REVIEW:

A Growing Challenge for Injured South Dakotans

South Dakota law is clear: an injured person is entitled to recover the reasonable value of necessary medical care, treatment, and services caused by another's negligence. For decades, this standard has ensured that individuals harmed through no fault of their own can obtain appropriate medical treatment without bearing the financial burden themselves.

Recently, however, insurance companies have increasingly turned to artificial intelligence (AI) to scrutinize medical bills submitted in personal injury claims. While insurers promote these tools as efficient and objective, their growing use raises serious concerns about fairness and full compensation for injured South Dakotans.

How AI Is Being Used by Insurers

Insurance carriers now routinely employ AI-driven bill review systems to analyze medical charges. These systems compare a claimant's bills against large databases of historical charges and payments. Using proprietary algorithms, the AI flags services it deems duplicative, excessive, or outside statistical norms and recommends reductions or denials.

In many cases, these reductions occur with minimal human review. The result is often a lower valuation of medical damages—sometimes automatically—before the injured person or their attorney has an opportunity to explain why the care was necessary and reasonable.

Why This Matters Under South Dakota Law

The legal concept of "reasonableness" is not a simple mathematical average. It is a fact-specific determination that depends on the nature of the injury, the treatment required, the provider's medical judgment, and the realities of local healthcare markets. A serious injury may require specialized care, extended therapy, or multiple providers working simultaneously. These circumstances do not always align neatly with national or regional averages embedded in AI models.

When insurers rely on algorithms to define what is "reasonable," there is a real risk that legitimate medical care will be undervalued or dismissed simply because it does not fit a statistical template.

Key Concerns with AI Bill Review

One major issue is transparency. Insurers rarely disclose how their AI systems work, what data they rely on, or how decisions are made. When a medical bill is reduced, claimants are often given only a vague explanation that it exceeds "reasonable" benchmarks. This lack of clarity makes it difficult for injured individuals to challenge improper reductions.

AI systems also lack clinical understanding. They analyze billing codes and pricing patterns—not patient outcomes or medical necessity. Care that looks excessive on paper may be entirely appropriate given the complexity of an injury, complications in recovery, or limited local treatment options.

There is also concern that AI perpetuates historical underpayment. These systems are trained on past data, which may already reflect years of cost-cutting by insurers. If prior payments were artificially low, the AI will reinforce those reduced values going forward.

Finally, automated "duplication" flags can be misleading. Modern medical care often involves multiple providers billing for related but distinct services. AI systems may incorrectly label this as duplication, even when each service was necessary and properly provided.

Shifting the Burden to the Injured

Perhaps most troubling, AI-driven reductions often shift the burden onto injured individuals to prove that their medical care was reasonable and necessary—despite having followed their doctors' recommendations. This dynamic undermines the protective purpose of South Dakota's personal injury laws.

Our Role as Advocates

Technology can be helpful when used responsibly. But AI should assist human judgment—not replace it. As insurers increasingly rely on automated bill review, careful legal advocacy is essential to ensure injured people receive the full compensation the law allows.

Our firm remains committed to challenging unjustified bill reductions, demanding transparency, and presenting the medical and legal evidence necessary to protect our clients' rights. If you have questions about how AI bill review may affect your claim, we are here to help.