

Auto Accidents - Know Your Most Important Legal Right

By David K. Stein, Esq.

I dropped my son off at school today. On the front lawn was a sobering reminder of reality. The school parked a severely damaged car near the front of the building as a way to get the kids to think about drinking and driving during prom season.

As a personal injury lawyer, I know that car crashes and serious injuries occur every single day. One statistic suggests that there are 11,000 disabling accidents in the U.S. each day. These are not just car accidents. They are motorcycle accidents, rollovers, and collisions of all kinds. And, rarely are these simple "accidents". Usually, these are serious crashes caused by drivers that are reckless and negligent.

The statistics are getting worse and worse. Drivers have more distractions now. It used to be that a driver simply may not have been careful, or may not have seen a red light. Now, texting, cell phone use, GPS systems and all sorts of other gadgets constantly fight for the attention of drivers when they should be focused on only one thing: driving safely.

Furthermore, like the car on the lawn of my son's school, more and more serious injuries are being caused by drunk drivers. This is a serious and growing problem.

When I am contacted by a person injured in a car accident, the first thing I do is make sure my client knows their rights under the law. The most important of these is the right to take your time to get the treatment and care you may need.

As a result in the increase of car accidents, insurance companies are fighting harder to limit their exposure. The quicker they settle your claim, or trick you into limiting your treatment, the less exposure there is for their insurance company.

When you are injured in a car crash, the first thing you should do is to get well. Focus your attention on your medical care and seek the best help available. The last thing you should do is to start negotiating with the insurance claims adjustor. The adjustor's goal is very simple: limit your claim and their company's loss. The first thing they will do is to ask to interview you and take a statement. Next, they will attempt to direct or limit your treatment and then get you to sign a release as quickly as possible. Do not fall prey to this! Take your time to mend. Then, get some advice.

If you have been injured, you are entitled to compensation for medical bills, future medical expenses, rehabilitation and pain and suffering. These claims take time to evaluate and should not be rushed by aggressive insurance companies.

Injuries manifest themselves over time. It sometimes takes months to understand how a serious car accident has affected your body. When evaluating a case, you need a complete understanding of all of your injuries, your potential medical costs, and whether your life has taken a permanent change as a result of the crash. Generally, you have two years to either settle a case for personal injury or to commence a lawsuit. Use this time wisely.

It may sound tempting to "do it yourself" when it comes to handling a personal injury claim. However, an experienced personal injury lawyer will know how to maximize the value of your claim. He or she will know how to fully evaluate and present your case, how to deal with the adjustors, and how to counter the legal maneuvers that you may face along the way.

Remember, when you are hurt in an auto accident, you have legal rights. One of those rights involves taking the time to heal and evaluate your case. The biggest mistake you can make is to rush into a hasty decision. Take the time to get well. Get good medical treatment. And, get advice from a lawyer experienced in personal injury law. He or she will be a skilled advocate on your behalf.

When you are ready - only after you have considered all the compensation to which you may be entitled - allow your lawyer to negotiate a settlement on your behalf. Your rights include time, and the ability to consult legal counsel. These rights cannot be taken away by an insurance claims adjustor. So, make sure you protect them.

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