



The Road to Recovery: 7 Steps to Take If You Are Injured in a Car Accident

The moments after a car accident are full of adrenaline, making it difficult to know what you should do to get the care you need and avoid sabotaging your legal rights. If you suffer injuries as a result of someone else's action or inaction behind the wheel, a personal injury case can help you seek compensation for medical expenses, future medical care, lost earnings, past and future physical pain, physical impairment, mental anguish and, where applicable, disfigurement. In the aftermath of a crash, take the following steps to protect yourself.

1. Contact the Authorities, Then Take Pictures and Gather Evidence (If You Are Able)

Before doing anything else, call the police immediately to report the accident. If anyone needs medical care, a few seconds can make a significant difference in how quickly help arrives. If you are seriously injured, don't risk further injury by taking pictures and trying to gather evidence. However, if you are physically able (and can safely do so), take a few minutes to gather evidence including taking pictures or video of any injuries to your body, taking pictures or video of the crash scene including the location of the vehicles and the damage to each vehicle and obtain contact information from any witnesses to the wreck. If you think you may be injured, make sure to tell this to the investigating officer at the scene.

The more evidence you can present to your attorney from the scene of the wreck, the more ammunition he or she will have to build your case.

2. Seek Medical Treatment

Do not, under any circumstances, put off medical treatment! If you refuse medical treatment or wait to seek care, the other party's insurance may use this as evidence that your injury is less severe than you claim. They may also say that the accident did not cause your injuries, since anything could happen between the time of the accident and the time you decide to seek treatment. Remember that adrenaline can dull your pain response. It is common for people in car accidents to not experience pain for hours, days and sometimes even weeks after the wreck. What feels minor immediately after an accident can quickly become unbearable as the adrenaline wears off. If you think you may be injured, make sure you tell the investigating officer at the scene. Also, take pictures of any visible injuries to your body such as bruises, cuts or bleeding.

3. Alert Your Insurance Company as Soon as Possible

Take a few minutes to call your insurance company and inform them of the accident. They have to go through a specific process to investigate the accident, assess the damage to your vehicle, and figure out who is at fault. The sooner you tell them about the crash, the sooner they can begin their investigation.

4. Contact a Lawyer and Do All Communicating Through Them

Many people underestimate the value of an experienced personal injury attorney after a car crash. Remember, the other party's insurance company is not your friend. They are not on your side, and they aren't concerned with your physical well being or injuries. Their only goal is to minimize their expenses and get you to accept the lowest settlement possible. On the other hand, your attorney advocates for you. Our extensive knowledge of the legal system and personal injury cases puts us in a position to accurately assess the full value of your claim and position your case in the best possible way to get you the compensation you deserve.

Once you've retained an attorney, make sure all communication goes through them. The other party's insurance adjusters may ask you for a statement, try to get you to sign a settlement agreement, or ask you to sign a medical release form. Do not talk to them or sign anything without discussing it with your lawyer first.

5. Keep All of Your Medical Appointments

Personal injury cases are built on documentation. The other side will use anything they can to downplay the severity of your injuries or call your credibility into question. If you skip medical appointments, they may use this as evidence that you are healed and no longer need treatment. Even though it may be challenging to fit these appointments into your schedule, they should be your top priority.

6. Maintain Documentation of Your Injuries and Expenses

The amount you can ask for in a personal injury case is largely based on your actual damages. As a result, keeping thorough track of your expenses is key. Keep track of how much you spend on copays, over-the-counter supplies you buy to dress or treat your injuries, and time you have to take off of work to attend appointments. Your attorney has likely gone through this many times before, and they can offer further guidance on which expenses you should be tracking, how you should be tracking them, and how you should submit your expense logs to your attorney.

On top of your expenses, make sure you keep track of your treatment progress. Submit any documentation or treatment records you receive from your doctor to your attorney. Your attorney and their team will use this documentation to assess the potential long-term damage of the accident, long-term care needs, and possible future expenses.

7. Plan Your Next Step With Your Attorney

In many cases, a personal injury case can be settled out of court. It may take a substantial amount of negotiation, particularly if the other party has

an aggressive car insurance company. If your attorney cannot reach an agreeable settlement and they believe that your case will fare well before a judge and jury, they may advise taking the case to trial. We prepare every case as if it is going to trial. While this can be time-consuming, it puts your case in the best possible position to settle.

Throughout the negotiation process, your attorney will keep you informed about any progress they make. They'll also inform you of your options at each step. While your attorney will make recommendations based on previous experience and expected outcomes, the final decision is up to you.

Healing from a serious injury is hard enough—you shouldn't also have to take on the mental and emotional stress of negotiating with insurance companies, trying to evaluate settlement offers, and navigating the claims process. Having an attorney on your side will help you in numerous ways. While you focus on healing and recuperating from your accident, your attorney works hard behind the scenes to help you get the compensation you deserve.

At Wyly & Cook, PLLC, our goal is to secure the largest settlement or verdict possible for each and every client. Our team has extensive experience with personal injury cases and we're dedicated to building a solid case for you. To discuss your personal injury claim and talk about your options, call Wyly & Cook, PLLC at 713-236-8330 to schedule your FREE initial consultation.