



[Print](#) [Close Window](#)

Common Mistakes Accident Victims Make: How You Can Avoid Them

Many accident victims don't get all the compensation they are entitled to receive. This is often due to mistakes they make that hurt their case. Here are some common mistakes accident victims make, and how you can avoid them.

Handling a personal injury claim alone, without a lawyer's help.

After an accident, an insurance adjuster will likely try to persuade you not to use a lawyer, saying a lawyer won't get you more money. But if you follow the adjuster's advice and handle your claim alone, you will be making a big mistake. An adjuster's loyalty is to the insurance company, not you, and he or she is telling you this so the insurance company can pay you less money. Studies (even those done by insurance companies) show accident victims receive more money when they have a lawyer's help. So don't make the mistake of believing an adjuster who says a lawyer won't increase the amount of compensation you will receive.

Giving statements to insurance adjusters without first consulting their lawyer.

After an accident, an adjuster will likely try to get tape recorded statements from you. He or she will seem friendly and sympathetic. But remember the adjuster really wants you to make damaging statements so the insurance company can pay you less money. Insurance adjusters are trained to get accident victims to make damaging statements about their case, and any statements you make can and will be used to lower the amount of money you receive. So don't make the mistake of giving a statement to an insurance adjuster without first consulting your lawyer.

Signing insurance company documents without getting legal advice.

Just as insurance adjusters will try to get you to make damaging statements about your case, they will likely also try to get you to sign statements, forms and other

documents that help the insurance company. These can include authorizations to obtain your medical and other records and could even include a check and a "release" closing your case. There are many cases of accident victims who were misled into signing documents by insurance adjusters that effectively ended their claims for very little money. Don't make the same mistake -- consult your lawyer before signing any insurance company documents.

Not getting information at the accident scene.

Getting the right information at the accident scene will help your lawyer prepare the best case. Key information to get includes the name, address and work and home phone numbers of all witnesses. After a car accident, be sure to get the other driver's personal and vehicle information plus his or her insurance company name and policy number. Also make notes of the accident and save any physical evidence.

Waiting too long to get medical care.

Many accident victims make the mistake of waiting too long before they visit a doctor. There are several reasons why you should see a doctor as soon as possible. One is so that any injuries you have will be treated as soon as possible and won't get worse. Another reason is that a doctor's report provides a good record of your injuries, and this plays a key part in determining the amount of compensation you receive. Finally, if you wait too long before going to a doctor, many insurance companies (and courts) feel that your injuries must not have been as serious as you claimed them to be.

Not following your doctor's instructions.

Accident victims have an obligation to mitigate their injuries. If you disobey your doctor's instructions for getting better -- such as by stopping treatment without your doctor's approval -- this can lower the amount of compensation you receive, since it makes insurance companies and courts suspicious of the true nature of your injuries. Don't make the error many accident victims make of ignoring their doctor's instructions or missing doctor's appointments.

Keeping poor records of expenses and problems caused by the accident.

Accident victims are entitled to be compensated for many things, including medical expenses, lost wages, pain and suffering and changes to their lifestyle. Keeping good records of all accident-related expenses and physical and other problems caused by the accident will help make sure you get compensated for everything the law entitles you to receive.

Waiting too long to seek legal help.

The longer you wait to get legal help, the harder it can be to find evidence and witnesses, and the more likely something will happen that hurts your case, such as giving the wrong statement to an insurance adjuster. By waiting to get legal help, you also risk losing your claim because the deadline for making claims has expired. Don't make the mistake of waiting too long to call your lawyer. This can significantly lower your recovery

Settling too fast, before all your injuries are known.

Many accident victims think they suffered only minor injuries and will accept a fast settlement just to end the matter. When they later discover their injuries are much worse than they first thought, they are prevented from getting more money from the insurance company. Always remember that many injuries take time to fully develop. Don't make the mistake of settling your claim before knowing the full extent of your injuries and financial losses.

These are just some mistakes accident victims make that hurt their case. If you have questions about what to do after an accident, call us. Calling us as soon after an accident as possible can help you avoid these and other mistakes, and increase your chances of getting the best settlement.

Call Us For Help

Please call us for all your legal needs. We offer a full range of legal services to individuals, families and businesses, including personal injury, estate planning, real estate, family law and business matters. We are dedicated to providing the highest quality legal services at a reasonable cost.

(702) 631-5650 (800) 799-5868

The information contained in this article and throughout this Information Center is of a general nature. Due to constant changes in the law, exceptions to general rules of law, and variations of state laws, seek professional legal assistance before acting on any matter.