

STEP-BY-STEP GUIDE TO FILING A CAR ACCIDENT LAWSUIT

In the unfortunate event that you have to file a car accident lawsuit, you will find that dealing with injuries, insurance companies, and vehicle damage can be a full-time job. For this reason, the team at CarAccident.Law created this step-by-step guide to filing a car accident lawsuit so you can be better prepared for the legal aftermath of a car accident.

OUR TEAM OF EXPERIENCED AUTO ACCIDENT ATTORNEYS CAN HELP YOU FILE AN INITIAL INSURANCE CLAIM THROUGH YOUR OWN NO-FAULT POLICY, DETERMINE WHETHER YOU HAVE A VIABLE CIVIL CASE, GATHER EVIDENCE OF LIABILITY, AND PURSUE A LAWSUIT TO RECOVER COMPENSATION FOR YOUR LOST WAGES, MEDICAL TREATMENT, AND OTHER APPLICABLE LOSSES STEMMING FROM A CAR ACCIDENT.

STEP 1: SEEK MEDICAL ATTENTION



THE FIRST AND PERHAPS MOST IMPORTANT THING TO DO AFTER A CAR ACCIDENT TO PROTECT YOUR HEALTH AND PRESERVE YOUR RIGHT TO FILE A POTENTIAL CIVIL LAWSUIT LATER ON IS TO ASSESS YOURSELF AND THEN OTHERS AROUND YOU FOR INJURIES. IF SOMEONE HAS NOT ALREADY DONE SO AND YOU ARE PHYSICALLY ABLE, CALL 9-1-1.

Seek medical attention from the paramedics who arrive on scene, even if you do not detect any injuries. If you have severe injuries, they can begin treating you immediately and take you to the hospital right away. If you do not notice any serious injuries, they can still inspect you for invisible injuries and take you to hospital for closer inspection and confirmation about whether you are suffering from any internal injuries. For example, internal head injuries are one of the most common consequences of an auto collision, and symptoms often go unnoticed until it is too late, causing irreparable damage to the brain.

Assuming that you do not have any serious injuries and failing to seek medical attention can endanger your health and harm your chances of recovering compensation in a car accident lawsuit. In summary, you should get immediate medical attention after a car accident regardless of whether you believe you sustained any injuries to ensure your safety and create a record and timeline of the steps you took to preserve your right to civil litigation.

STEP 2: FILE A POLICE REPORT



THE NEXT THING YOU SHOULD DO, IF AND WHEN YOU'RE ABLE, IS TALK TO LAW ENFORCEMENT. TOO OFTEN, PEOPLE ASSUME IT IS NOT NECESSARY TO FILE A POLICE REPORT AFTER A CAR ACCIDENT, BUT THESE DOCUMENTS PROVIDE UNBIASED, FACTUAL INFORMATION ABOUT ACCIDENTS IN A COURT OF LAW.

Police will arrive at the scene and take information and statements from both parties to file an official police report. Any information you share with law enforcement can be used in an insurance claim or civil lawsuit, so be sure to stick to only facts about how the accident happened, and do not apologize or admit fault for anything.

A POLICE REPORT CAN SUPPORT A CAR ACCIDENT LAWSUIT BY PROVIDING THE FOLLOWING INFORMATION:

- **THE LOCATION OF THE ACCIDENT**
- **DATE AND TIME THE ACCIDENT OCCURRED**
- **DAMAGE TO THE VEHICLES AND ANY PROPERTY**
- **INJURIES SUSTAINED BY THE DRIVERS, PASSENGERS, PEDESTRIANS, CYCLISTS, OR OTHERS**
- **WITNESS STATEMENTS**
- **DRIVER STATEMENTS**
- **PASSENGER STATEMENTS**
- **ENVIRONMENTAL INFORMATION OR THE SURROUNDING AREA**

You can request a copy of the police report for your records or have an attorney obtain it for you so you can focus on healing.



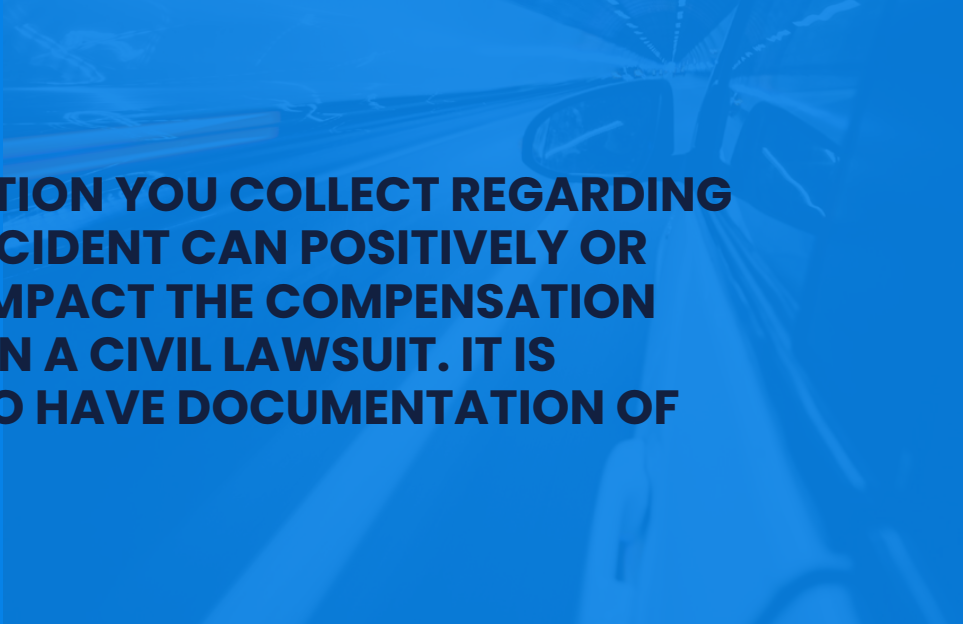
STEP 3: EXCHANGE CONTACT INFORMATION WITH THE OTHER DRIVER AND WITNESSES



Limiting contact with the other driver after a car accident is essential. Stick to exchanging only basic contact and insurance information at the accident scene, and avoid discussing who is at fault or how the accident happened. Remember that any information you share can be used against you later on and negatively impact your insurance claim and civil lawsuit. For example, if you apologize for anything, the at-fault driver might tell their insurance company you were at fault to avoid a claim denial.

AFTER EXCHANGING INFORMATION WITH THE OTHER DRIVER INVOLVED IN THE ACCIDENT, YOU'LL WANT TO GET THE CONTACT INFORMATION OF ANYONE WHO WITNESSED THE COLLISION. THIS SHOULD INCLUDE NAMES, PHONE NUMBERS, AND EMAIL ADDRESSES. THEIR WITNESS TESTIMONY CAN BE A VALUABLE TOOL FOR DETERMINING AND PROVING LIABILITY DURING A CAR ACCIDENT LAWSUIT.

STEP 4: GATHER EVIDENCE



THE INFORMATION YOU COLLECT REGARDING YOUR CAR ACCIDENT CAN POSITIVELY OR NEGATIVELY IMPACT THE COMPENSATION YOU RECEIVE IN A CIVIL LAWSUIT. IT IS IMPERATIVE TO HAVE DOCUMENTATION OF THE CRASH.

When you file a civil lawsuit against the at-fault driver, it is necessary to support your claims with evidence of the other driver's liability and the extent of your losses. Additionally, your insurance company is going to want proof, especially concerning who is at fault for the accident.

For this reason, you'll want to take photos of the scene of the accident, the surrounding environment, and any damage to your and the other driver's vehicles. You can also take videos of the scene to get a more complete visual of the accident.

Also make a note of any nearby surveillance cameras, as the footage they captured can be used to support your claims. It is also advisable to take a screenshot of the weather forecast for the day of the crash if weather played a part in your accident.

Finally, be sure to photograph and document your injuries and their progression over time. Many successful car accident lawsuit claimants use "injury journals" as evidence, where they kept detailed records of their physical and emotional injuries in the aftermath of a collision. Police reports, medical records, and evidence gathered at the scene of the accident will play a key role in reaching a fair settlement.

STEP 5:

CONSULT WITH A CAR ACCIDENT ATTORNEY

There are many moving parts to a car accident, including Massachusetts no-fault rules and other state laws regarding car accidents and personal injuries. On top of all that, victims of car accidents must deal with medical expenses, treatment, pain and suffering, and temporary or long-term job loss, among other lifestyle changes.

FORTUNATELY, AN ATTORNEY CAN HELP PREPARE YOU TO FILE A CAR ACCIDENT LAWSUIT IN THE FOLLOWING WAYS:

- **EXPLAINING YOUR RIGHTS**
- **ADHERING TO STATE LAWS AND FILING DEADLINES**
- **GATHERING EVIDENCE, REVIEWING MEDICAL RECORDS, SPEAKING WITH LAW ENFORCEMENT, AND INTERVIEWING WITNESSES**
- **FILING AN INSURANCE CLAIM ON YOUR BEHALF**
- **NEGOTIATING WITH YOUR INSURANCE COMPANY AND ENSURING YOU AVOID A LOWBALL SETTLEMENT OFFER**
- **PREPARING EVIDENCE FOR A CIVIL LAWSUIT TO MAXIMIZE YOUR CHANCES OF RECOVERING DAMAGES FROM THE AT-FAULT DRIVER**
- **EXPEDITING THE CAR ACCIDENT LAWSUIT PROCESS**
- **PROVING YOUR CASE'S WORTH**

CARACCIDENT.LAW CAN GRANT YOU ACCESS TO A TEAM OF CAR ACCIDENT ATTORNEYS FOR HELP WITH FILING YOUR LAWSUIT.

The attorneys in our network offer free consultations so you can discuss your potential case and determine the best fit before committing to legal action. Additionally, our team handles car accident cases on a contingency fee basis so that you only pay if we secure a settlement offer or win your case at trial.



STEP 6: FILE AN INSURANCE CLAIM

FILING A CAR ACCIDENT CLAIM STARTS WITH NOTIFYING YOUR INSURANCE COMPANY THAT YOU HAVE BEEN IN A CAR ACCIDENT.

MASSACHUSETTS LAW REQUIRES YOU TO FILE A CLAIM THROUGH YOUR OWN NO-FAULT INSURANCE POLICY BEFORE FILING A CAR ACCIDENT LAWSUIT AGAINST THE AT-FAULT PARTY.

It is not uncommon for insurance companies to blame the victims of car accidents for their own injuries, draw out the claims process, deny a claim, or propose a lesser settlement to save their own company money. An attorney, however, can help ensure that the car accident claims process goes smoothly and that you are not taken advantage of by your coverage provider. Let an attorney protect you from a low settlement offer that does not reflect the value of your covered losses.

Once retained, a car accident attorney will let the insurance adjuster and at-fault driver know about your legal representation and offer proper documentation regarding the accident to conduct a settlement analysis and reach a good-faith offer. A member of our team can take the negotiation process off your plate so that you do not have to communicate with your insurance company directly.

CarAccident.Law makes it easy to find the right attorney to assist with your car accident claim. The sooner you hire legal counsel, the sooner you can put your car accident behind you.

STEP 7: FOLLOW THROUGH WITH MEDICAL TREATMENT OR REHABILITATION

As part of a car accident insurance claim and civil lawsuit, car accident victims must follow medical protocol issued by their physicians or risk jeopardizing their eligibility for compensation. You must participate in follow-up appointments and prescribed rehabilitation and therapy. If you sustained catastrophic injuries, for example, you would likely have a long-term medical treatment plan to follow, which might include surgery, ongoing treatment, therapy, or rehabilitation.

Completing medical treatment is essential for a civil lawsuit, as the defendant could argue that injuries which do not warrant medical treatment also do not warrant compensation. Not to mention, medical bills are a recoverable damages, so without medical bills, there are fewer damages to recover, which increases the risk of the case being thrown out by the court.

CARACCIDENT.LAW CAN HELP YOU LOCATE A PHYSICIAN, ENCOURAGE YOU TO FOLLOW THROUGH WITH MEDICAL TREATMENT, AND DISCUSS BUDGETING OPTIONS OR OTHER FINANCIAL SOLUTIONS TO HANDLE MEDICAL DEBT UNTIL YOUR INSURANCE CLAIM AND CIVIL LAWSUIT ARE RESOLVED.

YOU CAN RELY ON US FOR TIPS ON HOW TO HANDLE MEDICAL TREATMENT AFTER A CAR ACCIDENT AND FINDING THE RIGHT ATTORNEY TO ASSIST WITH YOUR CAR ACCIDENT LAWSUIT AND INSURANCE CLAIM.



STEP 8: PURSUE A CIVIL LAWSUIT

A CIVIL LAWSUIT MIGHT BE FINANCIALLY NECESSARY IF YOUR INSURANCE POLICY DOES NOT COVER EXTENSIVE INJURIES, LONG-TERM LOST WAGES, AND ONGOING MEDICAL NEEDS.

There are many scenarios in which insurance companies may deny a claim or propose an unfair settlement offer. Without adequate insurance coverage, you could be left with extensive debt after a car accident.

An attorney with CarAccident.Law can help you initiate a car accident lawsuit and protect your eligibility for compensation by filing through the correct court before the statutory deadline expires. When you file a car accident lawsuit, your insurance company will be notified, as well as the at-fault driver. Both sides can present evidence and validate the accident details to reach a possible settlement.

THIS STEP-BY-STEP GUIDE WILL ARM YOU WITH KNOWLEDGE AND ADVISE YOU ON ESSENTIAL STEPS AFTER A CAR ACCIDENT. WITH CARACCIDENT.LAW, YOU CAN BETTER UNDERSTAND YOUR RIGHTS, WHAT TO DO NEXT, AND HOW TO FIND AN EXPERIENCED ATTORNEY TO FILE A CAR ACCIDENT LAWSUIT AND RECOVER YOUR LOSSES AFTER A COLLISION.