

SIMPLE SECRETS ABOUT AUTO COLLISION CLAIMS

PERSONAL INJURY CASE INSTRUCTIONS

1. Do not speak to any insurance adjustor without first consulting with an attorney. THIS INCLUDES YOUR OWN INSURANCE COMPANY'S REPRESENTATIVES.
2. Never provide a statement in writing, rape recorded or in any other form without the knowledge and consent of your attorney.
3. Notify the law office of all new doctors and examinations for treatment or testing from these new doctors (i.e., MRIs, CT Scans, EMGs, NCTs and any other types of treatment that are new.)
4. Forward all medical bills promptly to the law office and include receipts for pharmacy prescriptions. Forward these documents even if they are repeat billings from the health care providers.
5. Once a month, you should send a written letter to your attorney, which outlines your current symptoms, treatment, lost wages and medical expenses for the preceding thirty days.
6. Notify your attorney in writing and by phone when you are released from treatment.
7. If you have another accident of any type at home or elsewhere, contact your attorney first before you speak with your doctor, physical therapist or anyone with any insurance company.
8. Be sure to report ALL symptoms to your doctor each and every time you see your doctor. If you forget to mention one symptom or speak more about one part of your body (even if it hurts less than another part), you hurt your case.
9. Return to the doctor as often as necessary and always tell your doctor about all of your complaints. You should not minimize your ailments to your doctor. A doctor must know as much as possible in order to properly treat you. Reporting your ailments to the doctor allows him to make a record of your complaints and will allow the law office to document your claim. Call the law office after each appointment with your doctor to advise your legal team of what is happening with your care and treatment. If you are referred to another doctor, or plan to see another doctor, call the law office before you do so to provide that doctor's name and address.

It is very important you keep all medical appointments you have with your doctors. If it is necessary, you may reschedule the appointment, but do not fail to show up for your appointment without notifying the doctor's office.

If necessary, the law office will schedule an independent medical examination for you with a different doctor than your treating physician. If such an examination is scheduled for you, you must not miss it. These appointments are usually scheduled several weeks in advance, so there should be no conflict. If it becomes impossible to keep the appointment as scheduled, the office MUST KNOW 48 HOURS IN ADVANCE, or a substantial charge will be issued by the doctor's office. This charge will ultimately result in a cost to you.

10. Do not pay any ticket or go to any court or give statements before any court, or any investigating agency or board without first notifying your attorney, so that they may be with you and represent you at such a hearing. The reason for this is to be sure you do not prejudice yourself in an action in which your attorney represents you. Of course, if you received a ticket, it must be handled. Just be sure to discuss it with your attorney first.
11. Automobile property damage should not be repaired until you have an opportunity to view the vehicle and take photos, or have it examined by an expert if necessary. If your case involves a car or product not in your control, please try to see that it is not repaired or disposed of until your legal team has taken photographs. If you have photos of your vehicle in your possession, provide copies of them for your legal file as soon as possible.
12. Photograph all your injuries and treatment if you are in a hospital and have a cast, crutches, wheelchair or other disabled devices so you can provide an illustration of your injuries. If you have a question about what should or should not be photographed, contact the law office immediately. Always provide the office with the negatives and a copy of the photographs as soon as you have them so your legal file can be documented and the evidence can be held for safekeeping.
13. Be careful that you are not videotaped by the insurance company detectives. They do not always do this, but over the years, I have seen numerous videotapes of my clients that showed they were not telling the truth about their injuries. Once I see a videotape showing my client in a position of untruth, the value of the case may be severely affected, possibly to the point where I may have no choice but to withdraw as your counsel.
14. Tell the truth to the doctors and the legal office. Most cases that are lost are because of some fact that the client failed to tell their attorney about. This might be past arrests, a false statement on a job application or resume, or past drug use. Most of these problems can be taken care of so that they do not affect your case if your legal team knows about them. THE INSURANCE COMPANIES KEEP COMPUTER DATABASES ON INDIVIDUALS WITH PAST CLAIMS AND CRIMINAL RECORDS. THEY KNOW WHAT YOUR LEGAL TEAM DOES NOT KNOW WHEN YOU DO NOT DISCLOSE CERTAIN INFORMATION.
15. Be reasonable in your desire for compensation. There is no pot of gold. This is not the lottery system. Kansas is a conservative state with conservative jurors. Big verdicts rarely occur absent some huge disabling injury, i.e. paralysis, loss of limb, loss of eyesight, etc.
16. BE PATIENT. Before a settlement of your case can be attempted, you need to have completed your medical treatment. Next, all documentation must be obtained, including medical records, reports and bills. Rushing into a settlement without the necessary documentation can result in a low settlement.
17. When in doubt, call the law office to discuss your concerns.
18. In the event that your case involves a motor vehicle-related accident, your insurance company is entitled to be reimbursed or paid back for every dollar of medical or wage loss paid to you at the time of settlement out of your settlement proceeds from the defendant's insurance carrier. Under very limited circumstances, they are not entitled to this right of reimbursement. In the future, at the appropriate time, this issue will need to be discussed further with your attorney.

19. Provide any and all witness names, addresses and phone numbers to the law office as you become aware of them. This includes fellow workers and “My Day” witnesses. If you are aware that any witnesses will be leaving the area permanently, please call so that your legal team can take their deposition, if necessary. “My Day” witnesses are those witnesses that can testify as to how this accident has affected your life on a daily basis and how you compare now to the way you were before the accident.
20. In the event that your health insurance company pays any amount of your medical bills or if a state or federal medical aid plan like Medicare or Medicaid pays an amount of your medical bills, they also must be paid back at the time of settlement out of your settlement money under most circumstances.
21. The law office will probably not contact you until they have something to report. They will send you copies of all correspondence, records, etc. for your files. They will contact you for depositions, answers to interrogatories, when your case is ready for trial. If you have specific questions in regard to these instructions, call or write your legal team or come in to review your file. Please be patient and remember that many things will be done on your file without your presence. Please do not come into the office expecting to see your attorney without an appointment.

READ THESE INSTRUCTIONS WEEKLY. FOLLOW THEM DAILY.

*Information courtesy:
Lawyer on the Line
Roger A. Riedmiller, Attorney at Law*