

Like most of us, when we are involved in a car crash, it is usually an exercise in frustration. From the inconvenience of having to get a rental car to fighting with the car repair company, you are left not only with a bad attitude, but disgusted that you paid several hundreds-of-dollars for car insurance and ended up with nothing more than aggravation.

However, I would like to make the following suggestions when you find yourself in the unfortunate situation of being involved in a car crash:

- 1) Immediately report the crash to the police. DO NOT settle for a "blue form" if possible. Car insurance companies usually like to see the narrative portion of a crash report written by the investigator rather than just the driver's exchange information on a blue form.
- 2) Immediately notify your insurance company of the crash. DO NOT wait to report the crash. Most car insurance policies have a clause in them that compromises your claim if you do not report it as soon as possible.
- 3) Take photographs of your car BEFORE you take it to the repair shop. If the car was taken away by a wrecker prior to photographing it, go to the wrecker lot the next day and take an entire roll of film from every angle.
- 4) If you have any indication that you might be injured, GO TO THE HOSPITAL, via ambulance if possible. Many times I have seen cases compromised because the person did not go to the hospital to later find out they had a more serious injury than originally thought. It is a fact that your damages are reduced accordingly if you wait to seek medical attention.
- 5) Follow-up with prescribed medical treatment. This is a MUST. When you start canceling doctor's appointments because you are "too busy" you might as well forget filing a suit at a later date. Insurance companies commonly win verdicts because patients fail to follow treatment. They argue that if you were truly injured, you would have stuck with the treatment. No treatment=No case.
- 6) NEVER give the offending party's insurance company a statement, written or otherwise. Remember, you are not their client and they will use the statement against you later on should you file a lawsuit. However, keep in mind that you must cooperate with your own insurance company. But I reiterate, NEVER give a statement to the other party's insurance company.
- 7) DO NOT sign an "Assignment of Benefits" form for any medical provider. This is a complex legal issue, but just remember, never sign the Assignment of Benefits form. This applies to the hospital and any doctor who may treat you for your injuries
- 8) Keep a record of out-of-pocket expenses such as co-payments for prescriptions, time lost at work and mileage to and from your medical provider. Most people are unaware that these costs are reimbursed by your own insurance company, however, if you don't have documentation to support your losses, they will not pay.

Remember, this is a brief overview of the basic Do's and Don'ts when involved in a car crash. However, if you follow these basic guidelines, you will be well ahead of the game when it comes time to negotiate a settlement for the loss of your car and/or your injuries. As always, should you have any questions regarding this article, please feel free to contact me.