

DO'S AND DON'TS

So, you've been involved in an accident. What should you do? First, contact your lawyer. But if you do not yet have a lawyer, below are some important things to know about what you should do following an accident or incident. If you do these things, you will be in a better position to pursue a claim than if you do not do them. But, contact a lawyer as soon as possible. PLEASE NOTE: by providing this list, there is no intent to form any attorney-client relationship, or to give legal advice to any individual. It is merely posted here as a guideline to help anyone prepare to make a personal injury claim and it is the opinion of the author only as to whether the suggestions will be helpful.

THINGS NOT TO DO

1. **DO NOT** discuss this case with anyone other than someone from your lawyer's office or your doctors'. A remark or statement to a friend or neighbor could seriously harm your case if repeated to people opposing your interest in the lawsuit even though your friends thought their remarks were harmless or helpful to you. Insurance carriers often speak to your employer, friends, and/or neighbors, inquire at former addresses and take videos of your

movements. Much of this investigation is undertaken by pretext, often by private investigators who do not reveal their true identity or purpose.

2. **DO NOT change doctors** or see another doctor in consultation without first checking with your lawyer. You or your doctor may inadvertently seek the opinion of a doctor who works for the defendant's insurance company or from time-to-time consults with them. Generally, however, you have full freedom of choice of doctors.

3. **DO NOT sign** anything dealing with your claim until you receive approval from your lawyer.

THINGS TO DO

4. **DO take pictures** of the place where the accident or incident occurred (take many of them from all angles and some close up and some far away to see the whole "scene", including where the other party came from, etc.); take pictures of the vehicles involved to show not only the damage to all parts of the vehicles, but also the parts not damaged, and get some close-ups of paint scratches, etc. (also remember, on moderate to severe impacts, there may be damage that you do not immediately see, such as buckling of the roof pillars, damage to the underside of the vehicle, damage to the motor, or to the seats of the car – take picture of it all if there is any chance of damage being there), and **importantly**, take pictures of any visible injuries you have – cuts, bumps, lumps, scrapes, bruises, puncture wounds, broken bones if visible, including if it results in a limb being out of its normal alignment, is twisted or bent. **NOTE:** if you cannot take these pictures or have someone else do it, call a lawyer to do it. If we are called early enough, we can get all of them that are needed. And remember, in the case of lawsuits, pictures that are clear,

accurate and properly taken are often worth *more* than a thousand words.

5. **DO inform** your lawyer's office immediately if you change your home or work address and/or telephone number. It may be very important to get in touch with you on short notice and may be very important to get in touch with you on short notice and we have an accurate address and phone number for you at all times.

6. **DO inform** your lawyer if you are going out of town for more than a week.

7. **DO send** your lawyer each itemized bill as you receive it whether paid or not so that your lawyer has a complete list of your medical expenses to intelligently evaluate your case. If you need the original bill for your own records for payment or insurance purposes, attach a note to the bill and your lawyer will photocopy the original and return it to you. This will work much better than having you attempt to copy the bill (since some bills do not copy well).

8. **DO continue to collect** from your own insurance company (health, auto, disability, group, prepaid hospital, etc.) as it is legal and proper to do so; also, collect from the insurance company of the party at fault. There are some exceptions to this general rule that depend on the wording of the policy involved or on the state or federal law that provides the benefits. Your lawyer will gladly review any policy or plan for you and explain the benefits to you, including any reimbursement obligation. Also, if you need assistance in submitting medical insurance claims, your lawyer will gladly help you.

9. **DO obtain a receipt** for all medications, appliances or any other items purchased as a result of your injuries and mail them to your lawyer and **Do** notify your lawyer if you are required to return to the hospital.

10. **DO keep a record** of the name and date of any help you receive in your household or employment duties or in your recreational or social activities. Send these to your lawyer monthly. If you have to employ household or other help as a result of your injuries, either pay them by check or obtain a signed receipt for any cash payments, and send them to your lawyer monthly. Any **additional** expenses, such as household help, transportation costs to your physician and the resulting cost. **DO keep a memo book** with a record of all your lost time from work or other activities, and of all difficulties you are having from your injuries. Include dates, places and witnesses.

11. **DO send** your lawyer a list which chronicles your **lost** time from **work** if the accident or subsequent treatment causes you to lose time from work. We would like to know the total days or hours missed, regardless of whether the time was compensated by sick leave, vacation time, or disability.

12. **DO notify** your lawyer when you **return to work** if you were not working at the time you retained your lawyer.

13. **DO notify** your lawyer at once of changes in salary, change of employment, or loss of job.

14. **DO notify** your lawyer immediately if you are required to miss any work due to your injuries.

15. **DO send** your lawyer a copy of the repair bill on your vehicle. If you were a passenger in someone else's vehicle (and that person is not the defendant), please request that they give you copies of their bills and photographs, and

16. **DO notify** your lawyer immediately if you hear of anything that may affect your case, and contact your lawyer immediately with any new developments.

17. **DO contact** your lawyer with any questions you may have concerning any developments related to your injury, your medical or related care, if your work is affected by your injuries, or any other matter you believe is related to the accident or incident and about which you are not sure what to do.

18. Finally, **DO inform** your lawyer of any change in your home or work address, your telephone numbers, your email address or any other means by which you are normally contacted by your lawyers. Your lawyers are not able to fully help you if they cannot reach you.

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