

A STEP-BY-STEP GUIDE TO FILING AN ALABAMA CAR ACCIDENT CLAIM



ACCIDENT
GUIDE



ANDY CITRIN
— INJURY ATTORNEYS —

The period after a car accident is never easy. You've just experienced a traumatic collision, your body is recovering, and you suddenly need to manage your time away from work, medical bills, and insurance claims. It's a lot to deal with all at once.

At Andy Citrin Injury Attorneys, we believe that you deserve fair compensation after someone else causes a crash. That means you'll need to file insurance claims and negotiate with the companies' adjusters.

Unfortunately, the process of getting compensation from an insurance company is often a long, challenging one. In this ebook, the Andy Citrin Injury Attorneys team outlines everything you need to know about filing an insurance claim after an accident, including the options available to you, pitfalls you should avoid, and ways to protect yourself and your family.

**WE OUTLINE
EVERYTHING YOU
NEED TO KNOW
ABOUT FILING AN
INSURANCE CLAIM
AFTER AN ACCIDENT**

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Many personal injury attorneys will offer you a free consultation. You shouldn't have to pay for this appointment, so if there's an attorney who's charging you for an initial consultation, beware!

Before you try to handle your claims by yourself, consider this: the insurance company's sole goal is to reduce your claim's value and get it closed as quickly as possible. We've met with too many people that accidentally made damaging statements or agreed to an unfair settlement because they wanted to avoid hiring a lawyer. Then, when they get in over their heads, they call us in a panic. Unfortunately, it's sometimes too late for us to help.



AN INJURY LAWYER IS 100% ON YOUR SIDE.

Unlike an insurance adjuster, an injury lawyer is 100% on your side. They're not going to try to trick you into a bad deal or pressure you to settle before the time is right. They may also uncover evidence and information that the insurance company wants to keep hidden – strengthening your claims.

If you have questions about your options after a crash, many personal injury attorneys will offer you a free consultation. You shouldn't have to pay for this appointment, so if there's an attorney who's charging you for an initial consultation, beware!

At Andy Citrin Injury Attorneys, we meet with every potential client in a free, no-risk initial consultation to help them understand their options and move forward with confidence. And can't travel due to your injuries, we can meet with you in your own home or hospital room.

YOUR LAWYER CAN HELP YOU:

- **UNDERSTAND THE VALUE OF YOUR CLAIM**
- **NEGOTIATE WITH THE INSURANCE COMPANY FOR THE COMPENSATION YOU DESERVE**
- **COLLECT AND PRESERVE EVIDENCE THAT WOULD**
- **OTHERWISE DISAPPEAR (LIKE SURVEILLANCE FOOTAGE FROM THE SCENE OF THE CRASH)**
- **NAVIGATE THE PITFALLS OF INDEPENDENT MEDICAL EXAMS**
- **PROTECT YOUR PRIVACY IF YOU'RE UNDER SURVEILLANCE**
- **PRESENT YOUR CLAIMS TO A JUDGE OR JURY**

ASSESS YOUR INSURANCE COVERAGE AND FILE YOUR CLAIMS

Once you have a lawyer, you'll need to report your injuries to the insurance companies. These claims should be filed as soon as possible after an accident or crash. In Alabama, you only have two years to file an injury lawsuit, and this time will go quickly.

Depending on your circumstances, you may have claims under multiple insurance policies. There are two categories of claims you can make after a crash:

First-party claims: *You file a claim with your own insurance company*

Third-party claims: *You file a claim with the at-fault party's insurer*

To identify all your possible claims, you will need to review your personal car insurance policy and the policies of anyone who contributed to the crash.



Liability Insurance

Liability car insurance coverage is mandatory in Alabama, and it covers most third-party claims. After your crash, you will need to file a claim with the at-fault driver's insurer. While some drivers purchase larger policies, you must carry at least:

\$25,000 in bodily injury liability per person, with up to \$50,000 in coverage per accident

\$25,000 for property damage

Once this coverage runs out, the insurance company is no longer financially responsible for your losses.

Medical Payments Coverage (Med Pay)

If you have medical payments coverage, it will cover your medical bills regardless of who caused the crash, up to your policy limits. That means that Med Pay may cover the cost of your care even if you were at fault or in a single-car accident.

However, it's optional coverage in Alabama. If you're not sure whether you have medical payments coverage, you should review your policy or check with your insurance agent.

Uninsured/Underinsured Motorist Coverage (UM/UIM)

UM/UIM covers your damages when the person responsible for your crash didn't have sufficient insurance or was completely

uninsured. A modest amount of uninsured/underinsured motorist coverage is included on Alabama car insurance policies unless you choose to opt-out of coverage. However, if an uninsured or underinsured driver injures you, it's likely your damages will exceed our state's \$25,000 UM/UIM statutory minimum.

You can also opt for a higher policy limit for an additional charge, and we always encourage people to get this coverage if they can afford it.

Filing an Insurance Claim

Now that you know which insurance policies apply to your case, it's time to file your claims. If you have a lawyer, they will typically submit them for you. The insurance companies will then open an investigation into your claim. They may use evidence such as witness testimony, doctors' accounts, or police reports to evaluate your case.

At the end of this process, the insurers will decide whether to approve or deny your claim. They may also offer you a settlement.





➤ CALCULATE YOUR DAMAGES FROM THE CRASH

Before you agree to a settlement, you need to understand your claim's real value. However, there are many misconceptions about Alabama car accident settlements and the damages you can recover from an insurance payout.

You may be eligible for economic and non-economic damages. Economic damages include harm that has a price tag: the cost to fix your car, medical bills, lost income, or other easily calculated losses. Non-economic damages are not so easy to value, like pain, suffering, emotional trauma, anxiety, worry, or other emotional side effects.

➤ THESE DAMAGES MAY INCLUDE:



You may also be entitled to punitive damages, which punish a wrongdoer for their reckless or intentional conduct. Punitive damages are most common in dramatic car accidents involving drunk or drugged driving, but can apply in a variety of situations.

However, getting fully and fairly compensated for all of these damages is not easy. The insurance company's goal to close claims as quickly and cheaply as possible, sometimes resorting to unfair tactics.

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Medical Bills

2

Lost Wages

3

The cost of your treatment

4

*The cost of future treatment
(like physical therapy)*

5

Medication costs

6

*The cost of home renovations
to accommodate mobility aids*

7

Emotional counseling or therapy

8

Pain and suffering

9

Funeral and burial expenses

WATCH OUT FOR THESE INSURANCE COMPANY TACTICS

The insurance claims process can be long and tricky to navigate. These are a few tricks that victims should be aware of as they seek compensation from the insurance company.

A Quick (and Unfair) Settlement Offer

After a serious car crash, the adjuster may quickly offer you a settlement. They may even discourage you from consulting with a lawyer, arguing that it's not worth the time and money.

However, the insurance company's first offer will almost always be lower than you deserve. Many victims don't know they can refuse the first offer and demand more money. The insurance adjuster is a skilled negotiator who is intimidating to talk with; some victims feel pressured into accepting that low first offer, especially if they don't have a lawyer.

Independent Medical Exams

The insurance company may decide that it needs an "unbiased" assessment of your injuries and send you for an "independent" medical exam, or IME. The name is misleading; the exams are rarely independent and unbiased. The insurance companies

usually send victims to doctors who only perform IMEs. Because they get big fees for an evaluation, the doctors are usually willing to twist the facts and favor the insurance company – that way, they'll get repeat business. They may say that the car accident didn't cause your injuries, you're not really hurt, or that you're lying.

You can't stop a crooked doctor from bending the truth, but you can take steps to protect yourself and your case. When our clients are told to undergo an IME, we always suggest they bring a witness who can help take thorough notes about what happened during the exam.

We also recommend that victims are as honest as possible before, during, and after the exam. Don't exaggerate a limp as you approach the facility, play up your symptoms, or bend the truth to suit your case. The doctor and the insurance company will look for any opportunity to discredit you, and these slight misrepresentations could give them the excuse they need to lower your settlement amount. If you're nervous or uncertain about undergoing an IME, it's always best to consult with a car crash lawyer who can help you prepare.

Private Investigators and Surveillance

Insurance companies assume the worst about car accident survivors. One way to be “extra sure” they’re not giving money to people who don’t deserve it is through surveillance. Depending on the case, surveillance can mean a physical stakeout, setting up a camera to record your movements, or electronic monitoring, such as observing your activity on social media. The insurance company will use evidence of inconsistencies to deny your claim.

To avoid this trap, be mindful of what you do. If you’re claiming that you’re too injured to work, travel, or take care of your home, don’t do those things. Be mindful of your social media use, and avoid posting anything at all, if you can help it. Many victims aren’t even aware when they’re being surveilled.

However, other people feel threatened and harassed by investigators. If you catch someone trespassing on your property and they refuse to leave, call the police. If you have other questions about what to do when the insurance company is watching, contact your personal injury lawyer right away.

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STRENGTHEN YOUR CAR ACCIDENT CLAIM WITH EVIDENCE

Despite the pitfalls many victims encounter in the claims process, there are ways to strengthen your case. It's best to take a proactive approach and act quickly, since evidence can disappear over time.

Preserve Evidence From the Crash Scene

Some evidence is easy to collect after a car crash. If you are able, use your cell phone camera to take as many photos as you can of the road, the weather conditions, the cars involved, and anything that may have affected the crash, like a downed tree or large pothole. Get the contact information of eyewitnesses, and make sure you call the police so the responding officer can create a police report.

A police report, in particular, is a valuable piece of evidence; even if you don't think the crash is "that bad," it's in your best interest to call the police and get one.

However, other evidence is harder to get. Sometimes, a defective or poorly maintained vehicle causes a crash. Other times, a commercial vehicle's black box or log-books document regulatory violations and reckless driving behaviors. Your lawyer will need to act quickly to preserve this information – otherwise, it may be destroyed.

Go to the Doctor Right Away

After a crash, your body floods with hormones like cortisol and adrenaline. These hormones can hide the signs of an injury and make you feel better than you are. By going to the doctor, emergency room, or urgent care right after a crash, your doctor can identify and treat injuries that you might otherwise miss – injuries that would get worse and more expensive over time. Also, the medical records offer proof of your injuries that can be helpful later, especially if you need to undergo an IME.

Keep Track of Everything

You have enough to deal with after a crash; don't give yourself the added burden of remembering all the little details that you'll need to remember later. Instead, keep a simple journal that notes your pain, activity levels, and any costs you've incurred. When you record your pain, write down where it hurts in your body, how it hurts (burning, throbbing, stinging, searing, etc.), and how badly it hurts on a scale from one to ten. Note if you're able to complete your daily activities, or if you need to rely on others to take care of your children, keep your house in order, and meet your basic needs.

It's easy to adjust to your "new normal," and many people can't explain how profoundly their injuries impact their lives. Your survivor's journal can help you understand your limitations and explain them to an adjuster, judge, or jury.

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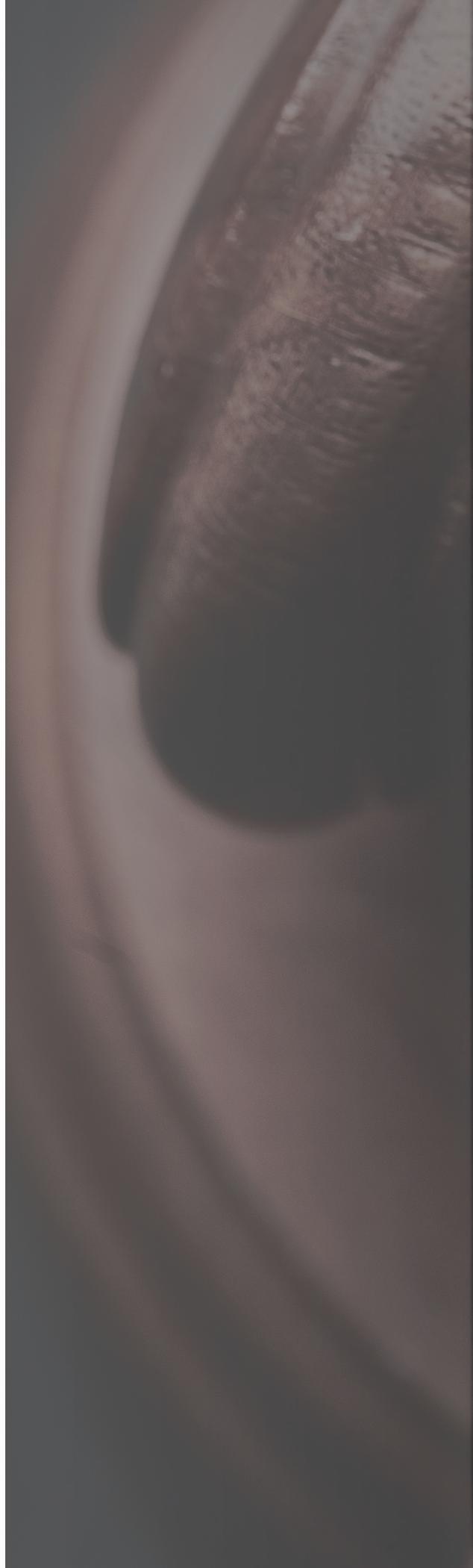
FILE A LAWSUIT IF YOU CAN'T NEGOTIATE A FAIR SETTLEMENT

Sometimes, you can resolve a car accident claim out of court. But insurance companies aren't always reasonable. If the adjuster refuses to make a fair settlement offer, you'll need to file a lawsuit and present your case to a judge or jury.

As we mentioned above, you must file your lawsuit within two years of the crash. Otherwise, you may lose your right to compensation.



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If you still haven't consulted with a lawyer, now is the time. Preparing an injury claim for trial isn't a simple or easy process – and a single mistake can cost you valuable compensation.



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***Y**ou should never have to pay for injuries and damages that were someone else's fault. That's why we fight for our clients like they're our own families. At Andy Citrin Injury Attorneys, we've won millions of dollars for clients just like you, and we're ready to hear your story and help you understand what to do next.*

To schedule your free consultation with an experienced attorney on our team, please don't hesitate to call us at 251-888-8888, or by filling out our simple online contact form.

We look forward to hearing from you!

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