

GUIDE



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ANDY CITRIN

— INJURY ATTORNEYS —

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The odds are that at some point in your life, you'll be involved in a car wreck, and you may suffer serious injuries. While the team at Andy Citrin Injury Attorneys is working to make Alabama safer every day, the fact remains that a car crash occurs every few minutes in our state. When the unthinkable happens, we want you to be prepared.

In this guide, we'll provide relevant safety statistics, explain the common causes of car wrecks, and outline our state's auto insurance and personal injury laws. While this guide can serve as an important resource for every driver, the information here is especially critical for crash victims and their loved ones.

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98% OF US WILL BE INVOLVED IN A CAR WRECK AT SOME POINT IN OUR LIVES

Every 11 Minutes, someone suffers injuries in an Alabama car accident. In 2017 alone, Alabama's roads and highways saw almost 156,000 motor vehicle crashes.

Nearly 48,000 people suffered injuries in these wrecks, and 1,089 of them died. Statistics show that 98% of us will be involved in a car wreck at some point in our lives, and the data also says that one out of three Alabama drivers will suffer injuries or even die in a car wreck at some point.

SO, WHY DO MOST OF THESE WRECKS HAPPEN? KEEP READING TO FIND OUT. ➤

COMMON DRIVING ERRORS CAUSE MOST CAR ACCIDENTS

While many factors can contribute to a collision, research shows that most wrecks — especially the severe ones that cause injuries and death — are preventable and happen because of a few common, negligent behaviors. These behaviors include:

DRUNK AND DRUGGED DRIVING
DISTRACTED DRIVING
FAILURE TO WEAR SEATBELTS
FAILURE TO USE AN AGE-APPROPRIATE CHILD SEAT

SPEEDING
IMPROPER LANE CHANGES
TAILGATING
FAILURE TO YIELD TO THE RIGHT OF WAY

Despite seatbelt laws and public awareness campaigns explaining the incredible benefits of seatbelts, far too many drivers still go without these life-saving restraints. In 2017, nearly 60% of the people who died in Alabama car accidents were not wearing a seatbelt at the time of the wreck.

Studies have repeatedly shown the enormous safety advantages of seat belts, and the

simple act of buckling up can save your life. If you're riding in the front seat of a vehicle without a seatbelt, you're 57 times more likely to die in a car crash.

The bottom line: you should buckle up every time you're in a motor vehicle and make sure every other occupant in the vehicle does the same.



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FOUR STEPS

After a car crash, it can be hard to think clearly. Your body is pulsing with adrenaline, and you and your loved ones may have serious injuries. The crash scene can be chaotic and confusing. However, if you can focus and you're not seriously injured, there are a few actions you can take that will help the legal case of any victims:



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4 THINGS YOU MUST DO

➤ **IMMEDIATELY** AFTER A CAR ACCIDENT

1

Call 911 and cooperate with the police investigation.

2

Demand medical care for you and your loved ones, even if your injuries seem minor.

3

Take photos of the crash site, including the vehicles and conditions at the scene.

4

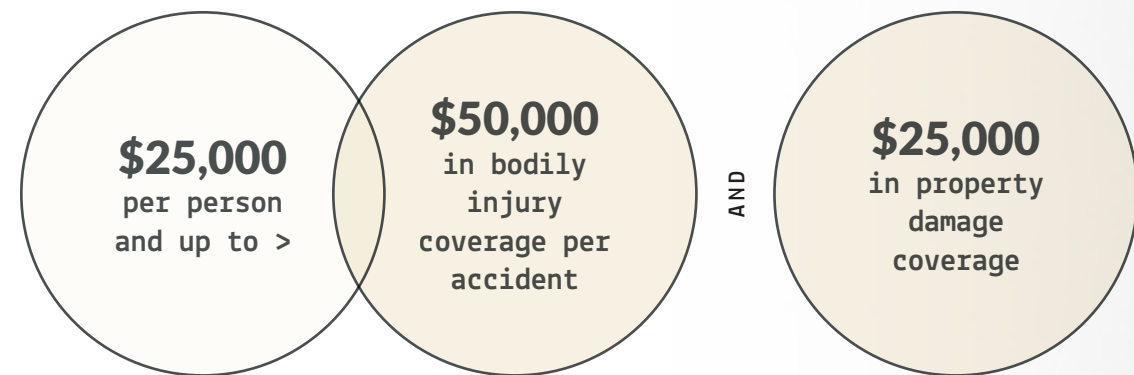
Get the names and contact information for the other drivers and any witnesses.

Finally, once you're safe and medically stable, you should contact an experienced and respected car accident lawyer to get an assessment of your case and learn about your rights and options.

UNDERSTANDING ALABAMA'S CAR INSURANCE LAWS



Under Alabama law, an at-fault driver's insurance company must cover the damages the driver causes up to policy limits. Since 2017, Alabama drivers must maintain a minimal level of auto insurance coverage on their cars and trucks. Vehicle owners typically must carry at least:



Commercial vehicles, like 18-wheelers, may have to carry higher policy limits.

While these are the minimum amounts of coverage for drivers in Alabama, we encourage everyone to consider policies with higher limits. If a car wreck involves a multi-car pile-up or inflicts catastrophic injuries, \$50,000 won't go far. A serious injury that requires multiple surgeries or an extended hospital stay can easily create costs that add up to hundreds of thousands of dollars.

In addition to bodily injury and property damage coverage, insurance companies also offer optional add-ons that can protect you after a crash. You can choose to purchase other types of insurance in Alabama, including:

Personal injury protection (PIP): Covers your medical bills, lost income, and funeral expenses, regardless of who caused the collision

Uninsured / underinsured motorist (UM/UIM): Steps in when a negligent driver doesn't have enough coverage to pay for all your losses

Unlike with fault-based liability claims, you'll file your PIP and UM/UIM claims with your own insurance company after a crash. If the at-fault driver doesn't have enough (or any) car insurance, you can use these policies to offset your losses.

We've seen firsthand how a PIP or UM/UIM policy can provide vital support while victims sort out their liability claims. And compared to the cost of a catastrophic injury, the extra premiums for these insurance policies are very affordable.



IDENTIFYING WHO IS FINANCIALLY RESPONSIBLE FOR YOUR INJURIES

At-fault drivers are the first people who come to mind when you're trying to hold someone accountable for your injuries. However, depending on your situation, you may have other liability claims.

For example, the following circumstances could lead to additional liability claims or sources of compensation:

THE AT-FAULT DRIVER WAS RUNNING AN ERRAND FOR THEIR EMPLOYER OR DRIVING A COMPANY CAR

A DEFECTIVE TIRE SUDDENLY BLEW OUT AND THE DRIVER LOST CONTROL

A MECHANIC DECIDED NOT TO REPLACE AN 18-WHEELER'S WORN BRAKES

A RESTAURANT FAILED TO CHECK EMPLOYEES' DRIVING RECORDS AND HIRED AN UNSAFE DELIVERY DRIVER

A BARTENDER KNOWINGLY OVERSERVED SOMEONE WHO THEN DROVE DRUNK

Sometimes, these claims are hard to identify and prove. You may need to consult with technical experts who can identify mechanical issues and defects, carefully analyze personnel records, and interview witnesses. These supplemental claims are complex and involve many nuances, so you'll most likely need help from an attorney if you want to successfully pursue compensation for your financial losses.



YOU'LL MOST LIKELY NEED HELP FROM AN ATTORNEY

if you want to successfully pursue compensation for your financial losses.



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FILING AN ALABAMA CAR ACCIDENT CLAIM

To get the compensation you deserve, you'll need to file an insurance claim, which may lead to a personal injury lawsuit. While you can file claims on your own, we always recommend that victims at least get a free initial consultation from an attorney before they reach out to insurance companies.

IF YOU DECIDE TO HIRE A LAWYER, THEY CAN HELP YOU REPORT YOUR INJURIES, OVERSEE THE CLAIMS, AND GIVE YOU THE BEST CHANCE AT A FAIR OUTCOME. IF THE ATTORNEY HANDLES PERSONAL INJURY CASES ON A CONTINGENT FEE BASIS (AS WE DO AT ANDY CITRIN INJURY ATTORNEYS), THEN YOU WON'T HAVE TO PAY THEM ANY ATTORNEY'S FEES UNLESS THEY HELP YOU RECEIVE COMPENSATION.



The process of filing an injury claim involves several steps.

Step 1: Report Your Injuries to the Insurance Companies

After a crash, the first step in your claim is to notify the insurance companies of your injuries. Depending on your unique circumstances, you may have claims with the at-fault driver's insurance company, your personal auto insurer, and other parties who contributed to the crash.

Step 2: The Insurance Company Investigates Your Injury Claim

Once the insurance company knows about your claim, it will assign you an insurance adjuster. This is when the real work begins. The insurance company's representatives may ask you and your doctors for extensive information, try to take your statement, and even send you to one of their medical experts for an exam.

While the insurance adjuster may seem like a pleasant person, their job is to review claims and deny as many of them as possible. If there are any issues that the insurance company might be able to use to deny your claim, the adjuster will focus on them. They may even try to get you to make damaging statements or spin your words to make it seem like you're lying or exaggerating your injuries. To help combat these tactics, you should always consult an experienced personal injury lawyer before talking to an insurance company representative.

Step 3: The Insurance Company Either Approves or Denies Your Claim

Based on their assessment of your claim, the adjuster for the insurance company will either approve or deny compensation. If your claim gets approved, the insurance company will send you a check for damages. Unfortunately, many claims get denied, even when the at-fault driver's negligent conduct is clear and obvious.

If the insurance company denies your claim, don't give up. Sometimes, there's a real dispute about whether you're owed damages, but a lawyer may be able to help you clarify the facts. And insurance companies often deny car accident claims in bad faith. For example, the adjuster may disregard information that supports your claim, refuse to pay a valid claim, or cause unreasonable delays.

Fortunately, you and your lawyer can fight back.

Step 4: You Can File a Personal Injury Lawsuit and Demand Fair Compensation

If the insurance company denied your claim, you have the right to file a lawsuit. You'll need to submit a series of documents to the court and properly notify the defendant (the negligent party who caused your injuries). Then, the defendant must respond to your filing within a specific time period.

Before your trial, your lawyer will request information from the other parties, take testimony from witnesses and experts, and formally build your claim. You'll also typically negotiate and try to resolve your claims outside of court through a settlement. Your lawyer should be able to guide you through the entire process and help you understand your options at every step.

Sometimes, a trial is necessary to hold people accountable. Other times, accepting a settlement will be in your best interest. However, a good car accident lawyer should always prepare your case as if it's going to trial to get the best result.

ALABAMA LAW SETS **STRICT** FILING **DEADLINES** IN CAR ACCIDENT CLAIMS

After suffering injuries, in a wreck, you must meet several critical deadlines if you want to receive compensation for your losses. First, you must file an accident report with the state within 30 days if the collision involved injuries, death, or more than \$250 in property damage. If you called 911 and the police came to the accident scene, you have met this obligation already.

More importantly, Alabama's statute of limitations for injury cases sets a limit of two years for you to file your personal injury lawsuit. If you miss this deadline, you'll most likely lose your right to compensation. If you're not sure how the statute of limitations applies to your case, contact an experienced injury lawyer immediately.

Accidents Involving 18-Wheelers Are More Complicated Than Your Typical Fender-Bender

When an 80,000-pound semi-truck causes an accident, the results are often devastating. Unfortunately, these catastrophic wrecks are all too common. Big-rig trucks are less agile than a passenger vehicle and need lots of time to stop. Truck drivers also feel intense pressure to meet deadlines and frequently drive when they're sick, tired, or impaired. All these factors can cause a crash.

Truck accident claims are also much more complicated than claims that only involve passenger vehicles. In addition to a liability claim for the truck driver's negligence, you may have

claims against the trucking company for improper truck maintenance, negligent hiring, and driver coercion. These claims can add significant value to your case, but they're complicated to investigate and challenging to prove.

Trucking companies aggressively defend themselves against liability claims, even if it's clear they were at fault. They frequently send "rapid response teams" of adjusters and lawyers to crash sites, trying to influence the authorities' findings and reduce the value of any injury claims.

To defend yourself against these tactics, you need a team of lawyers who will fight for you. For example, at Andy Citrin Injury Attorneys, we aggressively protect evidence that the trucking companies may want to hide or destroy, including the semi truck's black box and other electronic data.



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QUESTIONS

When you meet with an attorney, you need to assess their skills, personality, and priorities. This is especially true if you or your loved one has suffered catastrophic injuries that will require a lifetime of care. You simply have too much at stake to entrust your claim to an inexperienced or ineffective attorney.

At your initial consultation, ask the lawyer these 10 questions before you sign any paperwork:

➤ ASK THESE QUESTIONS



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How frequently do you handle car accident cases like mine, and what is your track record with those cases?

2

How familiar are you with injuries like mine?

3

Do you only represent injured victims, or does your law firm also work for insurance companies?

4

When was the last time you took a case to trial?

5

How long have you practiced law in Alabama?

6

Have you or your partners appealed cases to the Alabama Court of Civil Appeals and the state's Supreme Court?

7

What strategies do you use to maximize your clients' jury awards and settlements?

8

Are you a board-certified trial advocate?

9

How frequently will I hear from you or your staff?

10

How can I contact you if I have questions or concerns about my case, and how quickly will you get back to me?

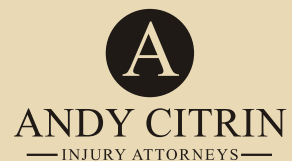
These questions can help you understand the lawyer's approach to car wreck cases and client relationships so you can decide whether they're the right fit for you and your case.

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The content provided here is for informational purposes only and should not be construed as legal advice on any subject.



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Andy Citrin Injury Attorneys is one of Alabama's most respected personal injury law firms. We focus our practice on helping the most severely injured victims in Alabama and the greater Gulf Coast area, and we fight aggressively to get our clients the compensation they deserve.

If you or your loved one suffered serious injuries in a car or truck accident in Alabama, we're here to help. Contact our office by calling 251-888-8888 or filling out our online contact form at <https://andywins.com/contact-us/> to get a free case assessment from an experienced attorney who knows how to take complex car accident claims to trial.

