The Complete 3 Step Guide To Your Auto Accident Claim

Helping Accident Victims Receive the Settlement They Deserve for Their Auto Injury Claim

Have questions? Find your answers here!
Whether an auto accident involves you or your loved ones, this report is here to help you and your family navigate the aftermath of an auto accident.

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The Complete 3 Step Guide
to Handling Your Auto Accident Claim

How to Resolve Your Auto Injury Claim and Get Compensated Fairly

WHO YOU ARE:

You have been in a completely unforeseen incident -- an auto accident.

Through no fault of your own, you or a loved one has physical injuries, your vehicle is totaled or all but destroyed, going back to work is going to be an agony and your future has never been more uncertain. Your family wants to help and you know need to help yourself but you are not sure how and what should be your next step. How did you get here and what are your next steps?

You may have spoken to your family and friends, a colleague at work and you’ve searched the Internet. You want to solve the problems that keep popping up with the vehicle, the insurance, the injuries, the medical bills, the lost wages, the lost opportunities and address all the misery this collision has caused. You are overwhelmed, we get it.

You want to tackle it head on, efficiently, effectively and get compensated fairly. You want to put this all behind you. We are here to help, we are your guide to all auto accident related problems.

WHO WE ARE:

We are accident attorneys. We help auto accident victims get their lives back together, regain their health and put their financial house back in order.

Our lawyers have been practicing for over 20 years. We are hired to tackle the burden that’s been unfairly put on our client’s shoulders and to obtain a just result in what became an unjust world to our clients.

WHY ARE WE GIVING YOU ALL THESE SECRETS?

We like fairness and fight the unfair issues that come up in auto collision claims. We tackle the issue of determining who is at fault, who should pay for your medical bills, when you should see a specialist for your injuries and how to be reimbursed for your lost wages and determining what, if any, future care and its costs total. We are the complete auto injury legal package.

With this guide, we are giving you all our knowledge in a checklist and a guide of the most often asked questions to give you a leg up, after your legs were taken out from underneath you by this auto accident.

In short, we want to help. We are counselors. We are advocates. And we are fighters.

So, if you need our help, contact us. Set up a telephone call here. We are here to help. In the meantime, use our guide, it will help you get started.

WHY ARE YOU READING THIS GUIDE?

You are looking for answers to your auto accident claim for either yourself or a loved one. Auto accidents aren’t planned for and you were taken by surprise. You want to get your life back, avoid the awful consequences that keep you up at night.
Will you feel better? Will your car be repaired? Who will pay for your medical bills? Can you afford to take time off work? Is your loved one permanently injured? Should you trust the insurance company?

These are all fair questions, and this guide will answer them. You don’t want to make the wrong decision, so this guide will give you a clear direction. If you need definite answers, we are always available to answer your questions. Check out our forum, here. Our attorneys are available to answer your questions. Want to meet with us? Our consultations are free and confidential.

**IS THERE A CHECKLIST?**

Yes, we want to get you information in the quickest way possible, so you can get to solving your claim. The information is all here.

**HOW TO USE THIS GUIDE**

• First, don’t try to understand everything right away. Use our guide to find the issues that really stand out for you and tackle those first.

• The navigable table of contents help you find questions and answers of the topics most relevant or urgent for your individual needs.

• If an answer is long or particularly nuanced, visit the provided link to an article discussing the topic in depth.

• If you have a question not answered in this guidebook, contact us here. Set up a telephone call, we are available to discuss your case at no cost at all.

• Print out the checklist and mark off everything as you complete it.
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What Can I Do About My Car?

After an accident, depending on how severe it was, you will likely be without your car as repairs are pending. Your car could even be deemed a total loss by your insurance company. Here are some tips that help you deal with vehicle damage, getting around without your car and getting compensation.

1. **Who pays the auto body shop for my car repairs?**

   The at-fault driver’s insurance should pay for your repairs once they’ve assessed your vehicle.

   You can choose any auto body shop you want. Consider the year and make of your vehicle. Meaning, if you are driving a brand-new vehicle, the body shop at the dealership might be your best choice if you want to ensure your warranty. If you are driving a vintage vehicle and parts will be an issue, consider using a shop that specializes in this type of vehicle is a good choice. If you need a referral, reach out to us, we can give you a list of auto shop referrals.

   Also, consider making a claim against your own insurance if the at-fault driver’s carrier proves to be difficult or drags its feet. Your premiums can’t be raised if an accident wasn’t your fault.

   If the other driver was found at fault for the accident, your own insurance carrier will have the other carrier reimburse them for the charges.

   If you make a claim with your own insurance company, you will have your deductible deducted from your repair costs. You’ll be reimbursed for your deductible once the at-fault driver’s policy repays your insurance company. Your insurance company will offer to collect the deductible for you when they collect their monies back from the at fault driver’s insurance.

2. **Should I use my own car insurance?**

   It depends. If your injuries are significant, the at-fault driver has insufficient coverage, or you were hit by an uninsured or hit-and-run driver, you may be making a claim against your own policy.

   Also, if the at-fault driver’s carrier tells you that they can’t determine who is at fault without the police report and you need transportation immediately, consider making a claim with your own insurance carrier. Sometimes it’s quicker and easier to use your own insurance rather than dealing with the at-fault driver’s coverage.

3. **What if my car is totaled?**

   If your car is totaled, insurance will offer you the fair market value of your vehicle. They will usually mail you a check in the amount of that fair market value.

   Here’s how it works: if repairs to your vehicle would cost more than 70% of the value of the car, it would be deemed a total loss. For example, if the car is worth $10,000 and the repairs are $7,001.00, you can expect the insurance company to consider your vehicle “totaled”.
4. What does fair market value mean?

Fair market value is the cash value of your vehicle. It is the lowest value placed on a vehicle.

You can get started on determining the value of your auto by checking marketplaces and websites that evaluate car values. KBB, Craigslist, E-Bay Motors, NADA.com. If your vehicle doesn’t appear in KBB, then an estimate of what your vehicle would sell for in the marketplace is a good gauge. Newspaper ads, Craigslist, AutoTrader, etc. may also be used for this. These vehicle marketplaces offer real time, zip code related values for the type of vehicle you were driving at the time of the accident.

They will provide you with a range of prices for vehicles very similar in mileage and condition as your own car.

These price listings can be used as comparatives to support your claim, like the way homebuyers use comparatives to assess the value of the home they are about to buy.

You can use your own rental car policy if you purchased one or you can use the other driver’s.

If neither of you have rental car coverage, you do have a “loss of use” claim for the time you are without a car, and the value of this is $25.00 a day. You can claim this even if you have a second vehicle or were borrowing a friend’s vehicle while yours was being repaired.

6. My car is drivable but banged up, should I drive it?

Before venturing out on the road, consider all the safety features of your vehicle:

- Are you missing any lights?
- Do you now have any blind spots?
- Is there any unusual rubbing on the wheels by the frame?
- Is the braking action weaker than usual?

Take all safety issues into consideration before venturing out. Please consider renting a car if you feel the vehicle is unsafe to drive after checking it.

**PRO TIPS:**

- Check your registration fees and taxes paid on your vehicle at the time of purchase. These fees should be paid along with the value of the vehicle.
- Request OEM parts if your auto is 5 years or newer.
- Make sure your auto body service takes pictures of your vehicle repairs and any “tear down” they do.
Proving the Other Driver’s Fault

There are several ways you can steer your settlement in your favor by gathering evidence that the driver was at fault for the accident. The best evidence are accident photos, the police report, any citations against the other driver, an admission of guilt from the other driver, and witness statements.

7. Why taking pictures of the accident scene is important.

Pictures present the actual damage that was involved in your case. These pictures also speak to the degree of injury you suffered. Taking pictures of the entire accident scene from all possible vantage points can yield important clues as to how the accident occurred, and whose fault it was. Take pictures that show the location and clearly display the license plate of each vehicle involved in the crash.

Include the following:

- Wide shots of the entire scene
- Traffic indicators and signs
- Your car and other cars involved in the accident
- Airbags, if they had gone off (shows how significant the impact was)
- Reference points such as a yield sign, traffic light or nearest intersection
- Weather conditions
- Damaged objects other than the cars
- Close-ups of the damage on your car and the other car
- Skid marks, if any
- Broken glass or damaged car parts, if any
- The other driver, passengers and any witnesses
- Any injuries on yourself, the other driver and passengers, if any

Pictures tell the story in much more detail and much more accurately than any verbal statements from the drivers, passengers, witnesses and even a written police report. They also provide clear and graphic evidence of the damage caused by the accident, as well as help you and your insurance company reconstruct the accident scene.

Accident victims commonly overlook important details, and understandably so because of the shock and trauma resulting from the accident. However, good photos reveal both obvious and subtle evidence that could have been forgotten during the settlement proceedings. These pieces of evidence might give strong support to your claim if you were not at fault.

Without pictures, no one would understand the degree of damage. So, it is important to have all of the pictures of your vehicle from before and after the accident.
8. Why do I need to know if the other party was cited?

Citations are important because they establish fault.

If you establish fault, then the other party’s insurance must pay for the damage. Without fault, no one’s insurance is responsible for paying.

Establishing fault is the first step towards receiving compensation.

If no citation was issued, you need to determine whether it is provable that the other party was at fault.

Ask yourself whether you have pictures, witnesses, an admission of guilt from the other driver, or physical evidence like paint transfers, that prove the other party was at fault.

If so, this may be enough to prove fault when there is no police citation.

9. What if I am partially at fault for the car accident?

If the police officer finds you partially at fault for the accident, then the other party’s insurance will also hold you responsible.

For example, if the officer advised you that you should not have turned on a yellow or rolled the stop, the insurance company will only offer to pay some but not all your damages.

You can argue against their findings based upon what is stated in the police report.

10. Can witnesses who saw my accident help my case, and why?

Witnesses can be people in the vehicle opposite you or in the vehicle behind you.

They will notice facts and issues about the accident that you never could have seen because of their vantage point.

It is important to get their statement to fully understand how your accident occurred, and what, if anything, could have been done to prevent it.

11. Why does the insurance company want to hold me 20% at fault?

Insurance companies are in the business of making money, not spending money. So, they will be looking for something you could be at fault, or partially at fault, for the accident.

If they find you partially at fault for the accident, it will help them pay you less money. They will argue you should have been driving more “defensively”, you rolled your stop, you turned prematurely, or you were not being attentive.

These tactics are designed to help them take 20% off their payment to you.

12. Is the other driver’s past driving record important? If so, why?

Knowing all you can about the other party and their driving habits helps with your claim.

Locating insurance and the other responsible parties for the at-fault driver’s bad behavior will give you the ammunition to refute most arguments from the other party’s insurance.
13. Why it matters if you think the person who hit you was texting.

Multiple cities in Arizona have passed no texting laws while driving. Although this an extremely difficult violation to cite for unless the party admits to it, it is an important piece of evidence. This evidence also speaks to the fact that the driver could have avoided the accident if they had been paying attention.

Obtaining a Police Report

A police report is one of the most important pieces of information you need to include in your personal injury claim. It also points to whom the police believe was at fault for the accident.

14. How soon are accident reports filed by the police?

The Arizona Department of Public Safety (DPS) maintains records of accidents that occurred on state highways. DPS officers have up to 14 days to complete and submit their reports to the Department Records Sections.

People involved in accidents may need to wait two weeks to check on whether a report is available. The number to call is 602-223-2230 or 2236.

15. Do I need the police report? How can I get one?

Yes. If your accident was investigated by the police, you’ll need a copy of the police report to pursue your claim against the responsible party and his/her insurance company.

The police report is the strongest evidence for who was at fault for the accident. The police are specially trained to assess the scene of an accident and to make an initial determination which driver was at fault.

Insurance companies make the final determination of which driver was at fault, or assign portions of fault to each driver. To steer the outcome in your favor, you need to include a police report with your claim with all the physical and monetary damages.

DPS accident reports may be requested using this form. The request form should be sent here. Copies of accident reports by mail must be accompanied by a self-addressed stamped envelope and the appropriate fee.

Through the DPS, the fee is $9 for the first nine pages and $1 for each additional page. You may want to call first to check how many pages are in your report. Photographic contact sheets are $10 and individual photos (either 8x10 or 4x6) are $4 each. CDs are $35 each, if available. They don’t accept cash or personal checks by mail. You can only send business checks, cashier’s checks or money orders. These should be made out to: “Arizona Department of Public Safety”.
Step 1: Property Damage

Police reports may also be requested in person at the DPS office at 2102 West Encanto Boulevard, Phoenix. Their office is open from 8 to 5 Monday through Friday and closed on state holidays. Cash, business checks, and money orders (but not credit or debit cards) are accepted for in-person requests.

If an accident occurred on a city or county road, the law enforcement agency that investigated the accident will have the report.

16. I live in Chandler. Is there an easier and faster way to get a police report?

Yes. In Chandler, you can request a police report using this form. The cost is $5 up to the first 35 pages, plus 15 cents per page thereafter. However, there is no charge for people listed as victims. Payment may be made by cash, check or money order. The normal processing time is 7 to 10 business days.

You can also see a Chandler accident report online at this site. You’ll need to know the date of the accident AND the report number to view the report.

17. How do I read a police report?

Here are some things to look for when you’re reading a police report:

- Start by reading the narrative section of the report. This will tell the “story” of the accident in chronological order, and will include statements made by witnesses. The narrative will give you an overview of the accident (as seen by the police) and help you understand other parts of the report.

- At the end of the narrative the officer’s name, badge number, and department should be listed, along with the date of the report. If you believe that the report contains errors, start by contacting the officer who wrote the report to request corrections.

- At the end of the report there may be an addendum, which is a continuation of the narrative. This is where the police add information discovered after the original narrative section was completed.

- The cover page of the report will include the names, addresses, phone numbers, and dates of birth of the parties involved in the accident. The cover page will also include the date, time, and location of the accident. Insurance information should also be listed here.

- The section after the cover page will list details about the accident like points of impact and tire impressions, and estimated speeds of the vehicle(s) involved.

Although you can get a police report yourself, your personal injury attorney can do this for you.

If you find an error in the police report, tell your attorney right away. Your attorney can request corrections to any errors in the police report.

18. Why who is listed first in a police report matters.

A police report will list the party most responsible for the accident first. They are driver number one, i.e. the driver most likely at fault for the accident, as believed by the police. If there is no citation issued in your accident, if the other driver has been listed first, it is a good indicator of who the officer believed was at fault for the accident.
Making a Claim

Always file a claim after an accident, even against your own insurance if necessary. If the driver was at fault, your rates will not be raised.

19. Should I make a claim against my own insurance?

Yes, you should -- not because you’re at fault but because that’s what you purchased it for.

Because you aren’t at fault, your premiums won’t increase if you make a claim. In fact, doing so actually helps speed up the process.

Using your own property damage insurance to repair your car is one of the quickest ways to handle property damage. They will pay to fix your car and submit the bill to the at fault driver’s insurance.

The other party’s insurance will ultimately pay your insurance carrier back.

20. What do the policy limits mean?

Policy limits are the monetary amounts that are purchased by the insured. An example is a 15/30/10 policy.

This is the lowest monetary amount of auto insurance sold in Arizona and the 15 represents $15,000.00 which is limited to no one person may receive more than $15,000.00 for bodily injury in an accident.

The second number means the total amount of all claims for bodily injury cannot be more than $30,000.

The coverage for vehicle damage is limited to $10,000.00, as represented by the third number.

21. I was a passenger. Do I have a claim?

Passengers injured in an accident will usually have a claim against one or more of the involved drivers or other parties.

For example, a passenger may have claims against multiple parties, including:

- The driver of the car he or she was riding in
- The driver of the other car(s) involved in the accident
- The manufacturer of the car (or car component) that caused the accident or increased the extent of the passenger’s injuries (if the car or component was defective)
- The public or private entity that created a hazardous road condition
- In a drunk driving case, the bar or restaurant that served an inebriated driver

To learn more about passengers’ rights, click here.
22. What information should I keep track of?

You should keep track of things like:

- Your medical expenses
- Your medical records
- Dates of medical exams and treatments
- Time missed from work (including the dates)
- Repair costs for your car
- Rental car costs (if this isn’t covered by your own insurance)
- Costs to replace any personal items that were damaged in the accident (save your receipts)
- Any other cost or damage related to the accident

Keeping track of all information about the accident and the resulting damages will bolster your claim and increase the chance of getting compensated fairly.
Step 2: Bodily Injuries

Juggling Doctors, Medical Bills and Health Insurance

The first thing you should do once an accident happens is to seek medical treatment immediately. Any delay in treatment may hurt your case. Keep track of all documentation you collect through doctor visits, hospital stays, prescription drugs and medical bills.

23. Why getting medical treatment immediately is important.

In an accident, you should seek medical attention immediately.

Although you may feel fine at the time, or think your injuries aren’t very serious, certain symptoms can appear days or even weeks after the accident:

• Pain
• Discomfort
• Stiffness
• Dizziness
• Numbness

It’s not uncommon to overlook a seemingly minor injury while focusing on the more serious injuries immediately after an accident, only to have the minor injuries become much more serious later.

Having all your injuries examined is vital to recovering fully after an accident, and to make sure none of your injuries have been missed by your doctors.

Not only is getting immediate medical attention good for your health, but also helps your personal injury claim. The longer you wait for treatment, the more difficult it is to determine whether the injuries you suffer from are because of the auto accident or some other issue.

Your claim is only as valuable as the treatment you received. Keep copies of every receipt, every medical bill and every copayment—these will increase the value of your claim. If you need help with a medical referral, contact us to discuss what type of medical provider you may need.

The bottom line: do not wait to get treatment.

24. Why is it important to take pictures of all bruises and injuries of my passengers and myself?

Pictures are the physical evidence of what you suffered. Keeping a history of the bruising and how it healed is important proof of the injuries you suffered.

Physical evidence makes it more difficult for the other side to refute your claim.

Pictures of your passenger’s injuries also gives another perspective as to how the accident occurred, how it could have been prevented and may even indicate which driver was more at fault.
Step 2: Bodily Injuries

Perhaps the impact was larger on the passenger side than on your (the driver) side. For example, if you drove through an intersection and another driver T-boned your car on the passenger side, the driver would likely be at fault if you were following traffic laws.

Pictures of your passenger’s injuries in such cases would lend strong support to your claim—and to your passenger’s claim against the other driver as well.

25. Why you should see your primary care doctor after your urgent care/hospital visit.

Your primary care doctor will already be familiar with your general medical history, and will probably know who the best specialists in the area are.

Depending on your injuries, you may need a specialist. Your primary care doctor will refer you to the right specialist for your continued care.

If you don’t already have a primary care doctor, then you can ask around for recommendations. Ask friends, relatives, colleagues, etc. for doctors with good reputations for treating the type of injuries you suffered.

If you’re in the hospital following your accident, you can ask the doctors and nurses on staff for their recommendations about a doctor you could see for continued care once you’re discharged.

After you’re discharged from the hospital, quickly fill all your prescriptions or obtain assistive devices such as crutches, and receipts for those purchases. These will help support your personal injury claim against the other driver.

You can also contact us and we’ll provide a list of doctors.

To learn more about finding a doctor, click here.

26. I have health insurance. Should I use it?

Yes, you should use your own health insurance rather than pay out of pocket or wait for a settlement.

You should understand that payment from your own health insurance company are only a loan. This is because the insurer that originally paid the medical bills can file a medical lien against the proceeds of the settlement or damage award in the personal injury case. To learn more, click here.

You may also have medical payments insurance and not even realize it. See next question:
27. What is the medical payment policy for?

Medical payment policies cover medical expenses for you, your passengers and any family members involved in the accident, regardless of which driver was at fault.

This policy also covers injuries to you or a family member as a pedestrian, a bicyclist, or a passenger in someone else’s vehicle.

Additionally, medical payments insurance may help pay for:

- Funeral expenses.
- Injuries sustained by your passengers.
- Injuries you sustain as a pedestrian or bicyclist after a car hits you.
- Necessary dental care because of a car accident.

Adding a medical payment policy can be a good idea even though you already have health insurance, since it will cover your co-pays and health insurance deductibles.

Perhaps more importantly, it will cover your passengers, whom your health insurance generally will not cover unless the passengers are family members listed on your health insurance plan.

Unlike many health insurance policies, medical payment insurance has no co-pays. It can also kick in after you’ve exceeded the limits of your health insurance coverage.

To learn more, click here.

28. Why pausing your treatment hurts the value of your case.

Sometimes things happen and you pause your medical treatment for one reason or another.

You get held up at work. You get sent out of town on a business trip. You take that vacation planned a long ago.

However, it sends the wrong message to the insurance companies. They will perceive the skipped medical treatment that the treatment was unnecessary.

Try to avoid missing treatment. If you need to, make sure the reason is documented with your doctor—or employer, if they are the cause—in advance.
Family: How Your Accident Directly or Indirectly Impacts Them

Family can be a lifesaver after an accident when they pitch in to help you after an accident. If they were directly or indirectly impacted by the accident, they should also be compensated under your settlement.

29. My family has gone through a lot. Can they be compensated?

Under some circumstances (including your death), your family members can be compensated for injuries they suffer indirectly because of your own injuries.

This type of compensation is sometimes referred to as being for “loss of consortium.” Family members may also be able to recover for anguish, sorrow, and mental suffering. To learn more, please contact us.

30. How your spouse can make a claim even if they were not in the car.

Since Arizona is a community property state, it has the legal authority to recognize a claim from your spouse asserting that your marriage was impacted because of the accident.

Evidence of such damage can be the fact that the uninjured spouse had to take on additional household chores normally handled by the injured spouse.

To support this claim, you need to itemize the additional responsibilities your spouse had to take on because of the accident. This would be the total of their claim.
31. How can I track all the extra help my family had to provide?

If your parent/sibling/relative may have taken significant time out of their lives to move in to take care of you, they can and should be compensated.

Make sure you keep a log that tracks the type of care they provided, whether it was giving you a ride to and from medical treatments, taking over your housekeeping, handling your laundry, or keeping up with your home’s landscaping.

This time and help has a financial component to it and should be included in your claim.

32. My children were involved in a collision. How is a minor’s claim handled?

A claim for an injury to a child is very much the same as a claim for an injury to an adult. For information about injuries to unborn children, and having an accident when you’re pregnant, click here.

For information about reducing the risks for children in car accidents, click here.

Getting Back to Work: Avoid Doing Too Much Too Soon

If you’ve been in an accident, do not be in a rush to get back to work. Don’t do too much too soon. Take care of your health first, and talk to your employer about what happened. Get a doctor’s letter saying you need time to recover, and keep track of how much time you missed from work.

33. Do I tell my employer I was in an auto collision?

It’s probably a good idea to tell your employer that you were in an accident, if you suffered injuries.

You may need to take time off from work for medical treatments or to have your car repaired, and your employer may be more receptive to this with plenty of notice.

You may also need to have your employer make accommodations to your working conditions because of your injuries. For example, you may not be able to lift heavy objects or stay on your feet as long.

34. Should I take my sick time or vacation time off?

You should start by using your sick time, and only use your vacation time if you don’t have enough sick time to cover the full period of your recovery.

You can even be compensated for time off work due to medical appointments, even if your wages are not docked.

You should also talk to the human resources department at your employer about any other options you may have, such as temporary disability leave.
35. Can I be compensated for the time I took off work?

Usually, compensation for time lost from work will be part of a settlement with the at-fault driver’s insurance company.

It is a good idea to document your time off work after an accident, because it would be easier to prove you lost wages because of the accident. Your injuries and resulting medical bills will drive the value of your claim. Every aspect of your life, especially how the accident impacted your job and income, is part of your claim.

Showing how much time you took off work, and what this time off represents to you in terms of a paycheck, will boost the value of your claim.

36. I’m salaried, how do I document the time I took off work?

Simply ask the human resources department at your employer to provide a letter stating the days you were off work due to your injuries.

You can use this documentation, along with doctor’s letters saying you need to recover before you can get back to work, to support your lost wage claim.

37. I’m self-employed. How can I prove lost wages?

If you are self-employed, paid on commission, or are an independent contractor, you need to use tax returns or additional documentation that proves that your income did decrease because of the accident and the resulting injuries.

Simply take your hourly rate and multiply it by the number of hours you’ve missed, and use that as a starting figure of how much wage you’ve lost.

38. What about lost opportunity or commission, how are they proven?

Unfortunately, lost opportunities or commissions are more difficult to prove or justify in a lost wage claim. Lost wage claims in Arizona refer to present time wages, not future wages.

First, you will want to show what you missed because you were unable to work. For example, if during the time you could not work, you showed a decrease in sales compared to previous weeks or months.

Second, if your overall wages decreased because the injuries affected your ability to work, you can use previous tax returns to show the decrease in your income for that year.

39. I have not taken any time off work, but I’m not really working at 100%. Can I be compensated?

This is a tough question. Unless you work in a job in which your compensation is based on your efforts and successes (such as commissioned sales), it may be hard to put a value on working at less than 100%.

Contact us to discuss your specific situation.
Step 3: Settlement

Negotiate Like a Pro

40. Why the first offer is never the last offer.

The first offer made by an at-fault insurance carrier is their lowest possible offer for the entire value of your claim. They are in the business of making money by paying out as little as possible in claims. Unless you counter-offer, you will never know the entire amount they were prepared to pay you.

41. How to counter offer like a pro.

Never take the first offer. Once you receive the offer, ask the adjuster what the offer is expected to cover and get a list of those costs. Then determine what is missing from that claim.

If they outlined some medical bills but not all of them, find out if they are missing and get them.

If they didn’t mention time off work but you took time off, get proof of that missed time.

Always counter and provide more proof of your injuries to get the best offer.

What Will Be the Outcome of My Case?

Most personal injury cases settle out of court, and most defendants are covered by insurance.

Thus, most compensation is paid to personal injury victims based on a settlement negotiated with an insurance company. In a settlement negotiation, the parties balance risk and reward.

42. How can I find out how much my case is worth?

No lawyer can tell you exactly how much your personal injury case is “worth.” There is no precise formula.

However, an experienced personal injury attorney can give you an estimate of the range of compensation you can expect.

To learn more about determining the value of your case, click here.

43. What happens if one side doesn’t settle? Do we go to court?

The risk here is that if the parties won’t settle, the case will go to trial.

Going to trial means that it could take months or even years for the victim to receive compensation, and the victim will have to deal with depositions (answering questions from the defendant’s attorney), medical examinations and testifying at trial.

If a case does go to trial, a risk for the victim is that the jury will award an amount lower than the defendant (or the insurance company) would have agreed to. A jury might even find that the victim was entirely responsible for his or her own injuries, and thus award zero damages.
Your Next Steps

This 3-step guidebook provides the answers to your auto accident questions and directs you on how to achieve the fair settlement you deserve for your claim. If you are like most accident victims, you struggle to pay your medical bills and stay afloat during such an uncertain time.

This guide and checklist will help you collect the money you deserve from the at fault party.

Still Have Questions?

We have legal answers tailored to your exact situation with real world practical advice.

If you are asking yourself: can I go it alone? Know that you do not need to. You have us. Give us a call.

Here’s how it works:

First, call us and set up an appointment. We can have a free consultation by phone, in person, or if you or loved one is not ambulatory, we can come to you.

A free consultation is ideal if:

• You are just starting out with your claim and want to make sure your decisions are best for you.
• You are close to finalizing your claim, but you want to know if the offer made is a fair one.
• You have started and stopped your claim numerous times, and you aren’t sure how to get it started again.

We will listen to your challenges and help you to understand your claim. We will outline what steps you need to take, whether you need legal representation – or, with some help and tips during the meeting, you can opt to go it alone.

You will feel relief and a sense of peace for having gotten this monster of a claim under control. Call us and book now. We are available to schedule an appointment 24/7.

It was a pleasure to help you!

Thanks,

Christy Thompson

480-634-7480