



JACKSONVILLE PEDESTRIAN ACCIDENT GUIDE

*What To Do If You're Seriously Injured
In A Pedestrian Accident*

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Personal Injury and Commercial Trials



Walking is very good for your health and for the environment, but not every stroll turns out to be relaxing. If you have made your way to this page, you may have been severely injured in a pedestrian accident. Our team of Jacksonville pedestrian accident lawyers understand how horrible it is to be hurt due to someone else's negligence. You are probably swamped with medical bills, missing time at work, and maybe you're unable to pay for these medical bills because of that.

MOST COMMON TYPES OF PEDESTRIAN ACCIDENT INJURIES

Pedestrian accidents can cause very serious injuries and even worse compared to accidents that happen in vehicles with protective metal frames, airbags, and seatbelts. When a pedestrian is hit, they have no protection from the impact of the vehicle. Your body takes the full hit from not only the vehicle, but the ground as a secondary impact. The most common types of pedestrian accident injuries include:

- » Concussion or contusion
- » Neck injuries
- » Spinal cord damage
- » Back injuries
- » Broken bones or fractures
- » Internal organ damage
- » Cuts and lacerations
- » Road burn
- » Scarring and disfigurement
- » Nerve, tendon, or muscle damage

The most important thing you can do for yourself or for your case is to seek immediate medical attention. You don't want to risk worsening your condition by waiting to talk to a doctor. It is not uncommon for these accidents to put

someone on the back of an ambulance and whisked off the emergency room. If you do wait to seek medical attention, you run the risk of not only making your injuries worse, but also having the insurance company claim you were not injured badly enough to deserve compensation.

FLORIDA STATUTE OF LIMITATIONS

From the date of your accident, Florida statute of limitations allow four years for you to bring your case in civil court. You should seek out an attorney right away to help you stay on track to complete everything that needs to be done in the time that is allotted. Four years may seem like a long time, but you should not wait to get the ball rolling on your case. There is evidence at the scene that needs to be collected right away and there are witnesses that need to be talked to before they forget the minute details that may help your case. If you wait until there are mere days left to call an attorney, that evidence will be gone and your witnesses may be impossible to track down. It is always encouraged to act quickly.

HOW PEDESTRIAN ACCIDENT COMPENSATION WORKS

There are several things you will be compensated for. You will be compensated for your injuries, medical bills both past and future, pain and suffering, lost wages, and damages to any personal property. That may be your phone if it was smashed in the accident. The way you get compensation is through the insurance company of the liable party. Florida pure comparative negligence law has to do with shared fault and how much you can recover if you have any. For example, if you are deemed to be 10% at fault for your accident because you were on the phone when someone blew a red light and hit you, then your award would be reduced by 10%. You will only be able to receive compensation if you are 99% or less at fault. If you are the sole cause of your accident, you will be barred.

DO NOT TALK TO THE LIABLE PARTY'S INSURANCE COMPANY

The very worst thing you can do for your case is talk to the insurance company. An adjuster or representative will be contacting you shortly after your accident. They may even contact you while you are still possibly recovering in the hospital. Their goal is to get you to say something that will damage your case. They are trained to ask you questions that will guide you to answer in a way that will reduce their responsibility to your claim or be able to throw it out entirely. When they call you, what we suggest that you do is allow your pedestrian accident attorney to take over the communication with the insurance company. They will be able to navigate the questions without impairing your case's ability to be successful.

FREQUENTLY ASKED PEDESTRIAN ACCIDENT QUESTIONS

What Do I Do After an Accident?

If you've been injured by an automobile while you were walking, it's important to seek medical attention immediately. You should also make sure that you have obtained the information of the driver that hit you, as well as any information of witnesses that might have seen the accident. It's important to know that there may be insurance benefits available to you through the negligent driver's automobile insurance policy.

Once you've gotten emergency medical treatment, make sure you contact a trial lawyer immediately. Look for somebody that has handled these types



of pedestrian cases in the past and knows how to gather the evidence that's important to support your case.

How Do I Find the Right Attorney?

I was contacted by a potential client the other day who wanted to know how they should go about selecting the best attorney to represent them in their pedestrian accident claim. I advised this person that you want to ensure you find a firm that has extensive experience in handling pedestrian-type claims. You want a firm that specifically focuses on pedestrian accidents and handles them on a regular basis. You don't want to select a firm that does general practice. An attorney that handles contracts or criminal law on a regular basis is not going to be able to properly and adequately handle your pedestrian accident claim.

You also want to ensure that you select a trial firm so that the other side knows who they're dealing with. If the insurance company offers a lowball amount, the firm you hire should be willing to take your case all the way through trial, if necessary.

What Mistakes Should I Avoid Making?

I was contacted the other day by a client who wanted to know what some of the common mistakes were that should be avoided after being injured in a pedestrian accident. I explained that one of the most common mistakes is failing to immediately obtain medical treatment. You want to ensure that you immediately seek medical attention so that later on an insurance company on the other side cannot say that you weren't actually injured in this incident.

Another common mistake is people stopping treatment before it's finished. Again, you want to ensure that you continue treating your injuries on a consistent basis and do not have any gaps in treatment because that might signify to the other side that your injuries are not as severe as they actually are.

Another mistake that people make is they don't retain a trial firm. They might retain somebody who handles other types of claims on a regular basis, or works in a different area of law altogether, and those people are not properly equipped and do not have the proper experience to handle the claim, investigate it and, again, take it all the way through trial if necessary.

What If I'm Hit and Run?

People who've been injured in a hit and run accident wonder if they have a claim for damages. In a case like this, it's very important that you speak with an experienced trial lawyer. That lawyer will do everything that they can to preserve any evidence related to your case, and they may even be able to track down the at-fault party. In the event that the at-fault party is unable to be found, you may have coverage through your own uninsured motorist insurance.

What If I'm Partially at Fault?

Oftentimes, people injured in a pedestrian accident wonder if they can be partially at fault for the incident. If they've crossed the street where there was not a crosswalk or if they've crossed against a light, they may be at fault for a portion of their damages. It's important to talk to an experienced trial attorney regarding these issues because even though a pedestrian may be partially at fault for their own damages, they still may be able to make a recovery against an at-fault party.



How Much is My Case Worth?

I was recently contacted by a client who had been involved in a pedestrian accident who wanted to know the best way to determine the value of his case. I advised this client that there are multiple factors that go into determining the value of your case. One of those is the severity and the permanency of your injuries. The more severe and permanent your injuries, the higher your medical bills are going to be and that is going to drive up the overall value of the case.

Another factor that is to be considered is the level of insurance coverage that the other side has. The higher the insurance coverage, the more likely they're going to be willing to pay out a higher amount on the claim. Perhaps most importantly is ensuring that you retain a firm that is known as a trial firm, somebody that is going to investigate your claim and take it through trial if necessary.

How is My Case Different Than a Car Accident?

A pedestrian injury claim can differ from an automobile claim in several ways. First and foremost, if you're injured as a pedestrian by an automobile, there's a greater chance that your injuries will be much more severe. You will want to immediately seek medical attention. You'll also want to make sure that you obtain the negligent driver's insurance information at the scene of the crash site. Their automobile insurance may cover you for your injuries that you suffered as a pedestrian.

It's important to contact legal assistance right away upon being injured because they will want to take great efforts to preserve any evidence at the scene of the accident, as well as on the automobile that struck you.

Should I Give a Recorded Statement?

After a pedestrian accident, a lot of people wonder if it is okay to talk to the insurance companies. They will generally try to lull you into a false sense of security and let you think that they are trying to help you with your case and your damages. Nothing can be farther from the truth. It's very important not to offer a statement to an insurance company after you've been injured. You will want to contact an attorney, preferably a trial attorney with experience in these cases, and they will guide you through the process and make sure your legal rights are protected if and when you do give that statement.

CONTACT OUR FLORIDA PEDESTRIAN ACCIDENT LAWYERS TODAY

If you have been seriously injured in a pedestrian accident, you may be looking to find strong, confident, and experienced representation. Our Florida pedestrian accident lawyers are here to guide you through every step of your case. We will protect your evidence, talk to your witnesses, and deal with the insurance company on your behalf. You deserve to have your case treated like a priority

and we will do just that. Call us today to set up your free consultation where we will go over the details of your case and talk you through your legal options.

PREPARED BY EDWARDS & RAGATZ, P.A.

Tom Edwards and Eric Ragatz have worked together for more than 10 years, and between them, they bring decades of experience to every case. Tom is a Board Certified Civil Trial Lawyer, the highest specialty recognition given to lawyers handling injury and death cases and has the highest rating of AV by Martindale-Hubbell, a national attorney rating service. Eric has represented many injured clients in complex personal injury, medical malpractice, nursing home abuse and product liability cases, and has the highest rating of AV by Martindale-Hubbell.

This experience, and the personal devotion to clients and the relentless commitment to pursue justice, is why Edwards & Ragatz, P.A. is recognized for excellence in the Jacksonville area, and throughout the state. We are a dedicated team of various fields of expertise that serve clients with compassion and the utmost professionalism, making us one of the most trusted law firms in Jacksonville. From seasoned trial lawyers to paralegals and registered nurses, you can rely on the Edwards & Ragatz, P.A. team to deliver the comprehensive service and personal care your case deserves.

If you find yourself in an unfortunate situation and need medical malpractice lawyers or a personal injury attorney in Jacksonville, we will use our legal experience and vast resources to get fair compensation for your injuries. Together, we'll put the law on your side.

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