



JACKSONVILLE CAR ACCIDENT GUIDE

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

Edwards  Ragatz, P.A.

Personal Injury and Commercial Trials



You have probably found your way to this page if you have been involved in a car accident. There is nothing quite a car accident. It is loud, frightening, and often ends in injury. Your life might have turned on its head after your car accident. You may be swamped with unexpected medical bills, are missing time and wages

from work, and perhaps are unable to enjoy your life like you used to before you were injured.

TYPES OF CAR ACCIDENT INJURIES

When you are in a car accident, there are several things that could happen to you that would require medical treatment and therefore warrant you filing a car accident case. The most common types of car accident injuries include:

- » Fractures and broken bones
- » Concussions or contusions
- » Traumatic brain injury
- » Spinal cord injury
- » Back or neck injury
- » Internal organ damage

The most important thing you can do for yourself after a car accident is seeking medical treatment. You want your injuries to be checked out as soon as possible so that you can get on the path of recovery. Also, if you do not seek medical attention right away, then you will have the insurance company claiming that you are not as injured as you claim to be. They will then try to throw out your case. You should never wait to see a doctor if you are in pain. Even right after the accident, it may be wise to go even if you only think you have minor injuries. They may turn into something worse down the line.

STATUTES OF LIMITATION IN FLORIDA

The statute of limitations is the amount of time you are allotted to bring your car accident case in civil court. Florida allows exactly four years from the date of the accident to get this case brought or filed. You may think that four years leaves you plenty of time to talk to an attorney, but truthfully, it is not the case. When you are in a car accident, there is evidence at the scene of the crash, you will have injuries that need tending to, and there are witnesses who have key information. If you wait, for example, two years to even call that attorney, your evidence is gone and your witnesses might have forgotten details that are going to help you win full and fair compensation for your injuries. That is why we encourage you to call our office right away and we can get to working for you right away.

HOW COMPENSATION WORKS

Compensation is determined by the severity of your injuries. Typically speaking, the worse your injuries are, the more you will be compensated. What also goes into determining how much you will be compensated is the amount of time you will be affected by your injuries, if you will need future medical treatment, if you need surgery, and factors such as those.

What you should also be aware of Florida's pure comparative negligence rules. This has to do with shared fault for the car accident. If you were obeying all traffic laws, and someone smashed into you, odds are you won't share fault. If you were at all responsible for the accident, say you were speeding when you were t-boned, then you would be deemed a certain percent of fault. When you are partially responsible, you will have a reduced compensation award. The only way to get completely barred from compensation is if you are deemed 100% at fault for your accident. The way partial fault works is as such: if you were found to be 20% at fault for your car accident, and you were awarded \$100,000 for your damages, then it would be reduced to \$80,000. That is why we will work hard to keep the insurance company from blaming you for an accident.

AVOIDING TALKING TO THE INSURANCE COMPANY

If you want to protect your right to full compensation, the one thing you should avoid at all costs is talking to the insurance company representing the person who hit you. They will be reaching out to you after your car accident, perhaps while you're still in the hospital, and they will ask for a recorded statement. These recorded statements are designed to help them reduce their responsibility to you or allow them to throw out your claim altogether. When they come calling, you have no legal obligation to talk to them or give them a recorded statement. We suggest you hire an attorney right away and have them take over all communication.



CONTACT OUR JACKSONVILLE CAR ACCIDENT ATTORNEY TODAY

If you have been seriously injured in a car accident, please don't hesitate to call our Jacksonville car accident attorneys at Edwards & Ragatz to set up a free case evaluation. We will work tirelessly to get you the fullest and fairest amount of compensation possible.

FREQUENTLY ASKED CAR ACCIDENT QUESTIONS

How Do I Find the Right Attorney?

I had a client come in asking how to select the best car accident attorney. The Florida Bar has a spot on their website that talks about how to select attorneys,

but there's some fundamentals to it. Today, you can go on people's websites and you can find out a lot about them. One of the things to look for is if they're board-certified.

Board certification is a preset program that's overseen by the Bar, in which attorneys have to have a certain number of trials before they're allowed to become board-certified, and the committee that oversees it then interviews judges and lawyers that were against them to determine whether or not they're truly competent in that area. They must then pass a written test, as well as submitting a list of all their trials that they can document.

There are some other accolades and recognitions that are out there that are very important and help to set apart some lawyers even from those that are board-certified, and they include things like Best Lawyers in America. On our website, we've been Best Lawyers in America for numerous years and the law firm is ranked as tier one, which is the highest tier that can be obtained, and we have that tier at multiple levels. Best Lawyers in America picks an individual lawyer in different regions of each state and identifies them as the top person in the practice, and I've had that designation in two different areas – medical malpractice and personal injury – multiple times.

You should also look for other accolades, such as American College of Trial Lawyers, International Academy of Trial Lawyers, and International Barristers. Those are very select lawyers who are recognized for their trial practice, as is ABOTA, which is the American Board of Trial Advocates, and people only get into that if they've tried a certain number of cases and are then selected by their peers in the community. Those are ways to pick the best attorney for your case.

What Mistakes Should I Avoid Making?

One of the things I like to talk to my automobile accident clients about is mistakes they can avoid making during their case. One of the biggest mistakes is not getting medical treatment immediately after an accident. If there's a big delay, then the insurance defense lawyers are going to claim that you're not seriously injured.

The other big problem that happens right away is the insurance carrier calls the client to interview them. Interviewing with an insurance adjuster or an insurance

defense lawyer without legal advice is a mistake. You do not want to interview with someone from the other side prior to talking to an attorney. You're legally obligated to talk to the police officers, deputy sheriff or highway patrolman at the scene, but in most instances those are privileged conversations that are protected, whereas talking to an insurance adjuster or even the person that you were in the accident with is not protected and isn't recommended.

One of the other areas we get into is people that miss appointments and don't otherwise follow medical advice. If you're not hurt badly enough to go to your appointments, then the defense attorney is going to say that you must not have been hurting very badly. That really injures the value of the claim. Those are some of the major mistakes that can really damage a claim irreparably.



What Do I Do After a Car Accident?

Oftentimes, clients will call us asking what they should do immediately following a car accident. First and foremost, we want a client to take care of their health and medical condition, which is always the top priority. There are certain things that need to be preserved, from an evidence perspective, that will either change, disappear or go away – photographs of the

vehicle that are damaged, seat belt marks, bruises, contusions, and wounds – so preserve or write down witnesses' names and contact information.

We would then have our investigators immediately contact the witnesses. Oftentimes memories fade and people's willingness to cooperate changes as time goes on. Lastly, when someone takes care of their health, first and foremost, contact Edwards & Ragatz and we'll take it from there.

How Much is My Case Worth?

In my first meeting with automobile accident clients, their first question is, "What do you think my case is worth?" The reality is, any quality lawyer is going to tell you they don't know. There will come a point in your case where I will make recommendations as to what I think reasonable values of your case are but telling you what a case is worth at the very beginning is irresponsible. You

don't know all the facts and it's like asking a doctor to tell you how a surgery is going to come out before they've even examined you.

A lawyer has a responsibility to investigate the facts, find out what witnesses are going to say and, equally important, talk to your doctors, gather your medical records and let your injury stabilize and reach a point where it's reached maximum medical improvement. We then need to look at the amount of your medical bills and the strength of the liability, whether there is more than one person at fault, and what the amount of insurance coverage is.

All those things factor into the value of a case, so until that type of background work and research is done, a lawyer can't give you good advice. They have a responsibility to give you good advice and to give you ranges as to what they think the case is worth. Until those things are properly done, you shouldn't give a person a value.

Who Pays My Medical Bills?

When injured clients contact us, they want to know how their medical bills get handled. That is part of the claim that we make for the at-fault party that caused your injuries. We will make a claim against them and any involved insurance company on their side to fully reimburse you for your medical expenses. Not only for what you've been through, which is relatively easy to calculate, but the expenses that you're going to need for the remainder of your life.

We spend significant time and resources to speak to your doctors so we know the full extent of your medical needs, and we then hold the other side accountable for every penny.

Should I Give a Recorded Statement?

In almost every car accident case that we get our client will ask us, "I've gotten a call from an insurance adjuster; should I call them back and talk to them?" The answer is no. Speak to Edwards & Ragatz first and we'll walk you through the statements. You are not required to cooperate with the other person's insurance company, and we almost always advise our clients not to give those statements. You are required, under certain circumstances, to cooperate with your own insurance company, but you have the right to have time to contact us

first so that we can speak with you about what the types of questions will be, and we'll be at your side when you give that mandatory statement.

How Long Will My Case Take?

Clients always ask how long their case is going to take. The real answer is that we don't know. We can give you some general parameters. The national statistics are that the average automobile accident case takes about 18 months once it's filed in court.

Some cases take longer, and some resolve a lot faster. We can't start a case in court until certain things happen, so there's always a lead-up time before we can even start the court proceedings. One of the most important parts of that is if you've reached maximum medical improvement. If your injury isn't stabilized, we don't want to start your case because we don't know yet what your total damages are, and we can be put in a position of selling you short and not handling your case properly.

Every case is different, so don't get locked into any individual time frame. It's going to depend on how your case develops and how the adjusters and defense attorneys on the other side handle it. Some are notorious for dragging them out, and others are good about coming to the table early and trying to resolve them reasonably. Don't think that there's any magic formula for how quickly it will resolve.

What If an Uninsured Driver Hits Me?

In car accident cases, our clients ask us about what happens if the negligent driver doesn't have insurance. Unfortunately, in the state of Florida, that is not an uncommon scenario. A lot of drivers are either uninsured or underinsured, and oftentimes people buy that type of insurance for that very scenario, where your own insurance company may have to pay for their damages. When you call Edwards & Ragatz, we get all the involved insurance policies and we put them under a microscope to see what is applicable to your claim.

CONTACT OUR FLORIDA CAR ACCIDENT ATTORNEY TODAY

If you have been seriously injured in a car accident, please don't hesitate to call our Florida car accident attorney to set up a free case evaluation. We will work tirelessly to get you the fullest and fairest amount of compensation possible.

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.

Edwards  Ragatz, P.A.

Personal Injury and Commercial Trials