The Timeline of an Auto Accident Claim

A car accident claim moves through stages that can take months or longer. The property damage part often resolves within weeks, while the injury claim usually waits until treatment has run its course. A car accident attorney can explain where a given claim stands, though every claim is different.

Right after the crash

Medical care comes first, even when injuries seem minor at the scene, and records from that first visit often become important evidence. Police usually write a crash report, and the report number is used to request a copy. Most policies https://caraccidentlawyers.wiki/topics/claims/ require prompt notice of a crash to the policyholder's own insurer, even when the other driver caused it. Photos of the vehicles, the scene and any **car accident lawyer** visible injuries are easiest to take early, and dashcam files should be saved before they are recorded over.

The first weeks

The vehicle is repaired or declared a total loss, and the insurer pays the repair cost or the actual cash value. Diminished value may be claimed in some states. The other driver's adjuster may request a recorded statement or make an early offer. Many people consult a car accident attorney at this point, before a release is signed. A preservation letter can ask that video and event data recorder (EDR) data be kept.

Treatment and documentation

While treatment continues, medical records and bills are gathered, together with proof of missed work. Claims are often not valued until the injured person reaches maximum medical improvement, the point when doctors can describe the long-term outlook. A car crash attorney then sends the insurer a demand package containing the records and bills, along with a summary of damages. Some states regulate time-limited settlement demands by statute.

Why timing matters for a settlement

Once a release is signed, the claim is usually over for good, including future medical costs connected to the crash. When a doctor expects surgery or ongoing care, those future costs are usually estimated before a demand goes out. The treating doctor's written opinion can document them, and in serious cases a life care plan may be prepared. An early settlement can leave those costs uncovered, while waiting too long can run into the filing deadline.

If the claim does not settle

The insurer may accept the demand, reject it or make a counteroffer. If the claim does not resolve, the next step is usually a lawsuit, which has to be filed before the statute of limitations runs. Each state sets its own deadline, and claims against government agencies can require written notice much sooner. Discovery brings written interrogatories, document requests and depositions, and the defense may request an independent medical examination. Many courts order mediation before trial, and most cases resolve by settlement rather than verdict.

Resolution and payment

A settlement usually requires a signed release. Before money is distributed, liens from health plans, Medicare or Medicaid may need to be resolved, and settlements for minors may need court approval in many states. An automobile accident lawyer should provide a written closing statement that shows the fee, the costs and the net recovery. This is general information and not legal advice, and it cannot predict how long a particular claim will take.