

Personal Injury Frequently Asked Questions

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1. What is Personal Injury Law?

Personal Injury Law protects the rights of victims of negligence, recklessness, malpractice and the inaction of others. A personal injury is any injury, physical or mental, that is the result of someone else's negligent or harmful act. The following list contains some of the most common causes of personal injury:

- Auto Accidents
- Dangerous or Defective Products
- Professional Malpractice
- Workers' Compensation
- Wrongful Death
- Toxic Exposure
- Home Accidents
- Dog Bites

2. What type of Damages can I Recover on a Personal Injury Claim?

Victims may be eligible to recovery compensatory and possibly punitive damages. The following is a list of damages that a victim may be able to recover:

- Medical Bills
- Lost Wages
- Pain and Suffering
- Physical Disability
- Emotional Trauma
- Property Damage
- Out of Pocket Expenses

3. Elements of a Personal Injury Claim

In order to have a personal injury case, you must be able to show that you have been injured. You must also be able to show that someone else is the cause of your injury under a negligence, strict liability, or intentional misconduct theory. It is possible that you might be required to show that the other party is more at fault for the injury than you are.

4. What if the Injury is Partially my Own Fault?

You may still have a claim based on the theory of Comparative Negligence. Comparative Negligence means that the fault of all parties is compared and the

amount of the recovery for damages sustained by the injured victim is reduced by the percentage of his or her own fault.

5. When Should I Contact an Attorney?

If you have been injured, it is wise to consult an attorney before giving any statements and signing papers of any kind. You should contact your attorney as soon after your injury as possible. There is a Statute of Limitations that requires you to file suit within a specific period of time, or else you will not be barred from obtaining any compensation for your injuries. By contacting an attorney, he or she will make sure that your claims are taken care of within the Statute of Limitations.

6. What is Mediation?

A mediation is a negotiation process which takes place prior to a case proceeding to trial. Each side appears with their attorney before a third party known as a mediator. Both sides present their case to the mediator, who attempts to facilitate a settlement between the parties. All information presented during the mediation conference is confidential and may not be used for other purposes. If the two sides are unable to come to an agreed settlement, the case will proceed to trial.

7. Important Information Regarding Your Personal Injury Claim

Any document containing relevant information to your case can be very important. Police reports contain eyewitness information about the conditions surrounding the basis of your claim. Copies of medical reports and doctor bills will demonstrate the seriousness and nature of your injuries. Insurance information about the person who caused your injury is extremely important when attempting to settle your claims. Additional photographs of the accident scene, property damage, and your injuries will make it easier for your attorney to determine how best to handle your case.