

**PERSONAL INJURY CLIENTS’  
QUESTIONS OFTEN ASKED**

1. **Q: I do not have health insurance. Will the “other person’s” car insurance company pay my medical bills so I can go to a doctor?**

**A:** No.

2. **Q: I do not have health insurance. How do I get the medical treatment I need?**

**A:** If you have Medical Payments Coverage (“Med Pay”) under your car insurance policy, you can first pay your doctor for your treatment and then give your doctors’ bills to your insurance company and ask that the bills be paid. Med pay coverage can run anywhere between \$500 and \$25,000.00. Typically, the highest Med Pay coverage that I typically see is \$5,000.

3. **Q: My injuries are serious. My doctors have taken me out of work. How do I pay my monthly bills and buy food for my family?**

**A.** If by chance you were on the job working at the time of your injury you can submit your claim to your employer’s **workers compensation** insurance company and receive weekly income equal to 2/3 of your average weekly wages. If you were not on the job at the of your injury, you can apply for **unemployment benefits**. However, to qualify you must be available for work. If your treating doctors say that you can perform limited work, you must indicate this on your application. If you have **Disability Insurance**, you can submit a claim to the insurance carrier. If your income is below a certain level, you can apply to **Medicaid** for financial assistance. There may be **churches and certain charitable organizations** in your local community who could possibly provide some financial assistance. Another option would be to apply to your bank or friends for a loan to get you through.

4. **Q: I was injured due to someone else’s negligence, and the other person’s insurance company has called me and wants to take a recorded statement. Should I speak with the insurance company?**

**A.** No. You should first speak with your treating doctors and an attorney who is knowledgeable in dealing with insurance companies. Even if your injuries are minor, you should wait until your doctors release you from treatment before speaking with the liability insurance company.

**5. Q: I was in a wreck and the driver at fault has no liability insurance. What do I do?**

**A.** You should immediately notify your own liability insurance company and submit a claim under your Uninsured Motorists Coverage. If you do not have uninsured motorist coverage, you need to hope that the person at fault has viable assets that you can seize and sell.

**6. Q. Do I have a case?**

**A.** To have a valid legal claim against another person or entity you must first show that the other person was at fault. Then you must prove that you were injured as a result of the other person's negligence. Finally, in North Carolina and Virginia, you must also demonstrate to the court that you were not negligent, even in the slightest. If it is determined that you were also negligent, even in the slightest, the law in North Carolina and Virginia prohibits you from recovering a penny from the other person or entity.

**7. Q: How much is my case worth?**

**A.** No lawyer can guarantee you that you will prevail in your claim or what your case is worth. At best, a lawyer may be able to give you an educated guess, but no one can tell you what amount of money a jury will award. If a lawyer guarantees that you will win and you will recover a specific amount, you may want to speak with another lawyer.

**8. Q: How long will it take before my claim is finally resolved?**

**A.** Every case is different. Sometimes a claim can be resolved in a few months. Sometimes a claim goes on for years. If you were seriously injured, it will take you longer to recover. In every case, you should never resolve your claim until you have completed medical care. But, if you are severely injured, your medical care may go on for years. You should never resolve your claim until your doctors say you are as good as you are going to get. Once your claim is settled, your claim is over. If you discover later that you were hurt much worse than you first thought, it is too late.

**9. Q. How much will it cost me to sue the person or entity who is responsible for my injuries?**

**A.** Most lawyers who represent injured people typically do not charge their clients on an hourly basis. The lawyer's legal fee is typically based on a percentage of the amount of money awarded to the client by the court or the amount of money received through a settlement. Expenses are separate from fees and the

client is responsible for reimbursing the lawyer for all out-of-pocket expenses that the lawyer incurs throughout the litigation process.

**10. Q. Can I settle my claims, or will I have to go to court?**

**A.** Yes. You will have the opportunity to negotiate with the insurance company to see if a settlement of your claims can be reached. You will provide the insurance company with all of your medical records and medical bills relating to the medical treatment that you were required to undergo as a result of injuries that you sustained because of the negligent person or entity. You may also be asked to provide all medical records for treatment you received during the 10-year period prior to the incident that caused your current injuries. If you reach a settlement of your claim, once all settlement paperwork is completed, your claim is resolved. If you are unable to reach a mutual settlement with the insurance company, you can proceed to trial where you will present evidence to a jury, and the jury will decide whether you are entitled to money, and if so, how much.