THE SEWELL LAW FIRM'S
PERSONAL INJURY GUIDE

12 WAYS TO GET MORE MONEY FOR YOUR INJURY!



THE SEWELL LAW FIRM
PERSONAL INJURY TRIAL LAWYERS

Burnout Paradise developer Criterion Games publisher Electronic Arts



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Preface

We wrote this book to help injured people navigate the dangerous waters of an injury claim. Once you decide to file a personal injury claim, you want to do everything you can to maximize your potential compensation. A crucial part of making a full recovery is ensuring you have adequate compensation to do so.

What you do after your injury matters, and there are distinct things you can do to make the most of your claim. Having an understanding of what aspects of your injury case are in your control can help you get the maximum amount possible. Here are ten ways to maximize compensation in your personal injury case.

But knowing some inside tips could help your recovery process, both emotionally and financially. Below are ten inside tips to know if you're injured in a car or motor vehicle accident.

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TYPES OF PERSONAL INJURY CASES

Our office has been representing injury victims since 1984. During that time, we have represented thousands of families obtain compensation for the injuries and harm they have suffered as a result of the negligence of others. WE CAN BE YOUR ADVOCATES IN CASES INVOLVING:

Automobile Accidents

Whether a head-on accident in an intersection or a rear-end accident on the highway, a car collision may have a serious impact on all parties involved. We handle all types of car accident cases related to drivers who were texting while driving, under the influence, uninsured, or underinsured.

Bicycle Accidents

Riding a bicycle is environmentally friendly and inexpensive, as well as a great form of exercise and a good deal of fun. Unfortunately, some drivers do not know how to share the road with bicyclists. When a driver is careless or negligent with a bicyclist on the road, it could lead to a serious accident.

Boat Accidents

A boat accident can be any incident on a boat or a collision involving a boat. Such an incident may cause serious injury or death. Drowning and near drowning are primary concerns, as are serious internal injuries, brain damage, and broken bones. Much like an automobile collision, the boat driver who caused the accident may be held responsible.

Dog Bites

An animal attack of any kind may leave the victim with serious physical injuries and lasting emotional trauma. Such mental damage could easily lead to depression or a fear of the outdoors or of animals. The owner or keeper of the animal that caused such pain should be required to pay for your damages.

Gas Explosions

A defective product or shoddy work by the gas company may place a person at risk of serious injury or death due to a gas leak, fire, or explosion. Gas explosions can be quite violent, and a burn injury is likely to result.

Motorcycle Accidents

A motorcycle accident may cause serious injury to a rider. Even when a motorcyclist is wearing a helmet and proper protective gear, the results of a collision may be catastrophic, leading to broken bones, dismemberment, spinal cord trauma, and more.

Pedestrian Accidents

A pedestrian who is struck by a motor vehicle may experience serious and even fatal injuries. We represent the rights of pedestrians in these matters and are dedicated to helping them recover fair compensation for their injuries.

Premises Liability

A premises liability claim is a type of injury case that involves an accident or injury that has occurred on another's property. The most common types of premises liability cases relate to slip and fall and trip and fall accidents. The property owner is responsible for the upkeep and care of their facility, and a failure to maintain safe standards should not be ignored.

Product Injuries

A defective or dangerous product may cause serious injury to a consumer. Defective products are responsible for millions of injuries across the U.S. each year, and victims may be entitled to compensation.

Workplace Injury

When considering the amount of time the average employed adult spends at work, it is no wonder that on-the-job injuries occur. Our firm handles workplace injury cases of all kinds, including those involving electrocution, industrial accidents, and more.

Wrongful Death

An accident or other situation involving negligence may cause the wrongful death of a loved one. The survivor of such a tragedy may qualify for compensation for the aftermath of the event. If this has happened to someone you love, make sure you involve a competent attorney who will fight for justice on behalf of your lost family member.

No. #01 - PRESERVE EVIDENCE

Car accidents are one of the most common ways in which people suffer serious injuries that result in extensive medical care. If you were injured in a car accident that was caused by the negligence of another person, you may be entitled to compensation.



In order to ensure that you can prove your case and obtain the maximum compensation that you are entitled to, it is important that you preserve important evidence for your attorney to use in a potential lawsuit. The best time to begin documenting and preserving evidence is immediately after the car accident (after everyone has received medical attention). Not only are certain elements of the process directly available, but also, everything is still fresh in your mind.

Try to keep documentation and other evidence in a single location, like a binder or an accordion folder. Be sure to keep it in a place where it will not be susceptible to water or other damage. For documents, pictures, and other evidence, consider creating a backup record by scanning each item to develop an electronic file version. This can be helpful if the physical copies get lost or destroyed. If you have photos on your phone, upload them to the cloud or email them to yourself, so you cannot lose them should something happen to your phone.

Police Reports

Report the car accident to the police and obtain a copy of the police report. The police report can contain and preserve key evidence: witness statements, names, contact information, factual findings, determinations of fault, and whether any driver was given a ticket or arrested. This information is easy to forget, misremember, or lose track of later, so having a copy of the police report can be crucial to preserving these important details.

Witnesses

Many times there are witnesses or bystanders who respond to an accident scene immediately after a collision. Often, police reports include witness statements. However, not all witnesses stay at the scene until the police arrive and assuming that police officers will obtain contact information for witnesses can be a mistake.



If a witness has a business card handy or a driver's license that you can photograph, taking photos of those items is preferable to taking down the information by hand, but use your best judgment. Where witnesses have stopped their vehicles, you may want to take photographs of their vehicles and license plates. In areas where there are shops, stores, or restaurants, take photographs of these establishments in case one of the employees can serve as a witness or the business has outdoor surveillance.

In the event that a potential witness gives a questionable statement, take notes as to whether that person:

- Was not in an ideal location to view the entire accident,
- Did not observe the accident from start to finish,
- Was potentially distracted, such as by walking a dog or pushing a baby stroller,
- Has poor eyesight or hearing, or has memory problems, or
- Was intoxicated at the time of the accident.

No. #02 - KEEP A DIARY OF YOUR PAIN AND DISCOMFORT



Things can get hectic and chaotic after a car accident injury, but it's critical that you write down what has happened in the accident. In addition to your medical bills and lost earnings, the person at fault is responsible for your physical pain and suffering, and for your loss of enjoyment of life. Because it could be several months, or possibly years, before you are asked to describe the impact of the injury on your life, a written record is essential. Keep a daily record of headaches, insomnia, medications taken, pain suffered, etc. And don't forget to keep up with activity you previously enjoyed, but in which you cannot now participate (i.e. exercise, golf, dancing, automobile trips, etc.) Mental suffering is also something you should be compensated for, so record your discouragement, sadness, and frustration that is related to your rehabilitation process.

Mental suffering is also something you should be compensated for, so record your discouragement, sadness, and frustration that is related to your rehabilitation process. The feelings of social isolation and depression that come from long periods of being trapped at home are common, so don't be ashamed of them. Record it!

Keep Notes

Keep your own personal notes about the accident, it will help you remember details about the accident that could prove imperative as you move forward with your claim or court case. Immediately following the accident, write down everything you remember about the accident (the subject of your photos are a good way to start). If you are shaken up after the accident, certain memories might surface in the days afterwards — write those memories down as well. As your injuries heal, keep notes on how you are feeling. Maintain a daily log in which you note what activities you could not do or had to modify, because of your injuries. Note what parts of your body are hurting and describe it. If it is the same issue daily, you can just write a note that you are feeling the same as the day before.

No. #03 - TELL YOUR DOCTOR ABOUT EVERYTHING THAT HURTS



What is a personal injury incident? A personal injury incident refers to any incident where someone gets injured, physically and/or emotionally. Classic examples include car accidents, truck accident, bus accidents, motorcycle accidents, pedestrian accidents, construction accidents, slip and falls caused by water, slippery substances or slippery floors, falling down stairs due to inadequate lighting; dog bites, burn injuries, electrocutions, food poisoning; or using defective products.

If you sustain injuries as a result of a personal injury incident, be mindful of the fact that every time you go to the doctor following the incident, regardless of the reason, your medical records will be subpoenaed and analyzed by the adverse insurance company and the attorney hired by the adverse insurance company if you file a lawsuit in the case. What does this mean?

Say on Monday, you have a check up with your primary care physician. As part of your check up, your doctor wants to check your cholesterol level. The lab draws your blood for analysis and you set up an appointment with your doctor for Friday to discuss the results of your lab work. On Wednesday (two days after your check up), you get into an accident. You hurt your neck (sustain whiplash) and hurt your back in the accident.

When you visit your primary care doctor on Friday to discuss the results of your lab work, be sure that you mention the car accident and mention that you are experiencing neck and back pain. This is particularly true if you are asked to fill out an intake form. Why?

While it may be true that you are not visiting your primary care doctor for anything related to the accident, records from your primary care doctor will be subpoenaed by the defense attorney (hired by the adverse insurance company to defend the lawsuit against you). Once they are subpoenaed, those records will be analyzed and if you did not mention the car accident and did not mention your injuries, the defense will point it out and use it as argument against you.

Your doctor (or nurse assistant) is trained to record everything you complain of and everything else you say related to your condition. For example, he records your comment that you “feel pretty good today” or that you are “much better.” Likewise, he makes a note when you tell him that you “can’t sleep” or that “it hurts whenever you roll over in bed.” When the doctor’s records are provided to the insurance company of the other driver, these notes are important. If the doctor is asked to testify on your behalf, these notes are critical because the doctor will rely heavily upon them. If you contend that your shoulder was keeping you awake at night for two months after the accident, but you never told your doctor about it, the claim is questioned. On the other hand, the doctor can powerfully corroborate every complaint you are making if you properly inform him during the course of your treatment.

No. #04 - FOLLOW THE DOCTOR’S ORDERS



Most people have a “family doctor” that they have seen for years. If you have seen the same family physician for many years, you probably trust his or her opinion. Hopefully, you “get along” with your family doctor. Unfortunately, if you are involved in an accident and suffer traumatic injuries, you may be referred to medical “specialists” who you have never seen in the past. You may find yourself treating with a physician you don’t care for or don’t get along with. When we review our clients’ medical records, it usually doesn’t very long to identify those situations where the doctor/patient relationship is somewhat strained. Even though you may not like your doctor’s personality, cooperation with your doctor is critical. Always bear in mind that anything you say to your doctor may wind up in his chart. Be very careful about arguing with your doctor about his/her diagnosis or the treatment plan they are prescribing. Doctors don’t like to be “second-guessed” by patients. While questions about the diagnosis or treatment plan are encouraged, you don’t want to give your doctor the impression that you know more about your condition or care than he does. That attitude will come across in your medical chart as uncooperative and argumentative. You can bet that the insurance company’s lawyer will try to portray you as a problem patient who kept “second-guessing” his doctor.

Another common problem is a patient who decides (on his or her own) that the medication prescribed by the doctor is not working and simply stops taking it on his/her own. There is a reason why doctors prescribe a particular type of medication for a particular time period. You should follow your doctor's recommendation until your doctor tells you something different. If you think a medication is making your muscles ache or your stomach hurt, say so; side effects are not rare, and your doctor can usually switch you to another drug. Don't put yourself in the position where you have to admit that you chose not to follow your doctor's advice. This can be very harmful to your claim.

Your doctor's records will reflect exactly what limitations and instructions he gave you. And the insurance company will almost always see these records eventually. If the records show evidence that you did not obey your physician, then the records limit the liability of their driver. For example, if the doctor told you to stay off work for a week and you returned in three days, then you can be held responsible for your slow recovery. Similarly, if he prescribed an exercise regimen that you ignored, then you will be blamed for the lingering problems.

Medical Records

Keep copies of all your medical records following the accident. Not only do you want records of hospital visits immediately following the accident, but also you need records of each return visit for every injury. Keep a record of every medical provider that you treat with an every pharmacy from which you obtain a prescription. Your attorney will need to be able to request your medical records should you pursue a lawsuit.

Writing down what has happened in the accident. Shortly after the accident, everything is fresh in your mind. But with each passing day, your memory of the events fades. For example, it is common for a driver to be apologetic at the scene of an accident, to explain that he was "in a hurry" or that he "was late." These are important admissions if the other driver's insurance company decides to deny coverage and to blame you for the accident. So write down everything that happened at the scene, including exactly what was said by all drivers. If you were hurt on the job, write down how the accident occurred, as well as the witnesses and the name of every supervisor you informed. If you were injured as a result of faulty equipment, record all of the details about the product, including the manufacturer and serial number, if possible. If a safety engineer or supervisor made a comment about the failed product, write it down! You cannot record too much information.

No. #05 - BUILD A GOOD RELATIONSHIP WITH YOUR DOCTOR

After experiencing a traumatic automobile accident, you need to find a trusted and experienced accident injury doctor who can safely and effectively treat your injuries. Injuries sustained in a car collision range from minor or severe, but receiving the correct treatment (no matter your injuries) is essential to your health and recovery.

After you, your doctor will be the single most important witness on your behalf. If he likes you, it is only natural that he will want to help you with his testimony. On the other hand, if he found you abrasive or argumentative, his testimony will be nothing more than the reading of his office notes.

No. #06 - GET WORK EXCUSES FROM YOUR DOCTOR

Lost earnings are an important element of the compensation due an injured person. But the injured individual must connect the work absences to his injury. Even if your employer does not require written excuses, a note from the physician will be valuable when you are later trying to prove that your absences were the result of the injury.

No. #07 - KEEP DOCTOR'S APPOINTMENTS

Missing Medical Appointments Will Ruin Your Personal Injury Case. One of the first things that the insurance company will look for, when it receives your medical records, is whether you missed any medical appointments. When you skip a doctor's appointment or a therapy appointment, there is likely to be a notation in your chart which reads "DNS", which means "did not show." When you skip doctor or therapy appointments, you open the door for the insurance company's lawyers to argue (1) you must not have been hurt as badly as you are claiming; and (2) you must not have cared about getting better. When you miss doctor or therapy appointments, there is a very good chance that your doctor or therapist will begin to wonder whether you are really committed to getting better. Missing medical appointments or showing up late is likely to irritate your doctors and therapists. Irritated doctors and therapists do not make good witnesses for their patients. If your claim is not settled and your case ends up being tried to a jury, it is very difficult to explain to a jury why you missed scheduled doctor and therapy visits.

There is a very simple way to avoid all of these problems. From the very beginning of your medical treatment until the very last appointment when you are finally released from your doctor's care, you have to commit to attending ALL of your scheduled appointments. If, for some reason, you cannot keep a scheduled doctor's appointment or therapy appointment, be sure to

call the office and let them know, in detail, exactly why you cannot make the appointment. Also, be sure to reschedule the appointment.

No. #08 - DON'T EXAGGERATE



Your doctor or therapist will be asking you questions about your pre-accident health history. Likewise, your doctor or therapist will undoubtedly ask you whether you have had any accidents or injuries that may be affecting the same part of the body that was injured in the current accident. I cannot emphasize enough the importance of honesty when it comes to disclosing facts about your pre-accident medical history.

Doctors rely on past medical history to diagnose and treat you. Providing incomplete information can impact that quality of medical care you receive. Concealing prior injury or illness from your doctor will also hurt your legal case. Once you make a legal claim, you can rest assured that insurance companies and their lawyers will be scouring your pre-accident medical records to see whether you have injured that same bodypart in a previous accident. If you try to hide your pre-existing injury (by not telling your treating physician about it) or forget to mention it to your treating doctor, you are making a big mistake. When you assert a personal injury claim, your doctor will be asked by the other side whether you disclosed the prior injury or prior medical treatment. If you provide your doctors with incomplete information, you doctor will be wondering what you are trying to hide. The other side will argue that your doctor's diagnosis of your injuries is questionable because he or she was operating on incomplete information. It's much better to be 100% truthful about your pre-accident medical history. Your doctor will usually be able to distinguish the injuries you suffered in the past from the injuries that were caused by the accident.

No. #09 - TAKE PICTURES



Taking photos is a great way to document and preserve evidence after a car accident. Pictures provide the best evidence of the way things appeared immediately after the crash and can demonstrate the magnitude of the impact and the resulting damage it caused.

Take pictures of any visible injuries while you are at the accident scene. As you heal over the next few days or weeks, take pictures of your injuries. Demonstrative evidence of the progression of your injuries can be an extremely effective way of showing how this accident affected you and your body.

If you have a laceration that needs stitches, take pictures to show what the wound looked like before, with the stitches, and after stitches were taken out as scar tissue forms.
If you have bruising or burns, take pictures of the bruise or burn as it goes through various degrees of discoloration. Some bruises will not appear until several hours after the accident. Fractures often require casts, braces, crutches, etc., so take photographs of everything that you were forced to use in order to fully recover.

Take photographs of all vehicles involved in the accident. Try to include every side of the vehicles involved, as well as their license plate numbers. Avoid photographing small areas of the vehicles, as these pictures can be hard to identify after the fact. Remember to also photograph any damaged areas inside of the car, including the dashboard, broken seats, etc. If any personal items such as cell phones, eyeglasses, or laptop computers are damaged, also take photos of those items.

Photograph the accident scene as well. You should attempt to safely photograph any skid marks or debris left in the roadway. Photos of any signs, fences, or landscaping that are damaged due to the accident should also be taken. Take pictures of where the other driver was coming from and where you were coming from immediately prior to the collision so as to give a vantage point to someone not familiar with the locale. This may be a situation where videos would be more

helpful, but start by taking photographs and then switch to videos if necessary. If the accident occurred at night, go back the next day and take pictures of the scene in daylight.

No. #10 - BE PATIENT

The responsible party's insurance representative is trained to show you courtesy and concern in an effort to minimize your claim. His effort to win your confidence is aimed at one goal —to keep you from retaining legal counsel and thereby be required to pay you all that you are owed. Any payment for your pain, suffering and loss of enjoyment of life is tempting, but you must be patient. You only get one payment for the injuries that you may suffer for the rest of your life. A lawyer with personal injury expertise will guard your right to be fully compensated.

No one chooses to be in a car accident, but knowing these 10 inside tips can help ease the financial and emotional burden.

No. #11 - DON'T WAIT TO FILE YOUR CASE



After an injury occurs, you have time limits to bring your case. It's important to bring your case as soon as possible because you don't want to risk time running out. After the statute of limitations expires, you may not be able to recover at all. Also, filing your case lets you begin to gather evidence formally.

This can be a critical aspect of being able to preserve the evidence necessary to build your case. It also lets the other side know that you're serious about getting a fair recovery and moving the case through the courts as quickly as possible.

Act Now and Let Us Fight For You
We have over 25 years experience. Schedule your FREE case evaluation today.

No. #12 - STAY OFF SOCIALS



Most people are familiar with the phrase that states that everything you say can and will be held against you in a court of law. Unfortunately, not all people realize that this phrase also applies to what you say on social media. Posting photos and comments could harm your personal injury claim.

It's only natural after a car accident to want to share the news. Something significant happened in your life. You could use some sympathy and support. Post, post. Tweet, tweet. Blog, blog. Here's the pix.

Unfortunately, it's not only friends and family who take an interest. Savvy insurance adjusters and defense lawyers can use your social media fodder to undermine your insurance claim or personal injury lawsuit. Many attorneys will advise you to delete your social media accounts after an accident. At a minimum, you need to put up your privacy shields and be careful about what you post.

If you're claiming devastating injuries, but your Facebook page tells a different story, it can ruin your case. The other side is watching, and your best bet is to keep quiet and let your attorney do the talking. It's also a good rule of thumb not to talk about any aspect of your injury case with anyone, or anywhere until a settlement is reached.

The insurance company hearts your tweets and Facebook posts.

Anything you put out on social media is fair game: Facebook posts, Twitter bursts, Instagram pictures, LinkedIn updates, a blog rant about insurers. Insurance companies can use your words and images against you, even if you never meant for them to be public. Something innocent and unrelated to the accident - a photo of you laughing or doing something active - could be used as a counter-narrative to your claims of injury, pain and suffering.

In discovery, insurers may request full access to the part of your accounts that are not public, or seek a subpoena to recover posts or pictures that you thought were hidden or deleted. The more your case is worth, the more closely the defense will scrutinize your social media.

Take steps to minimize the damage.

The safest solution is to "go dark" by deleting or suspending your social media accounts. This will prevent prying eyes from seeing things that could hurt your legal case. You can reactivate after your injury case is resolved. How to deactivate Facebook · How to deactivate Twitter.

Manage what information you put out:

- Don't discuss the details of your accident on social media, other than to say "FYI, I was in a car accident. Call me or message me privately."
- Don't discuss your injuries, treatment, rehab or medical progress.
- Don't post vacation pix, workout pix or photos of you doing anything that casts doubt on you being injured.
- Even the simplest message can be twisted. "Had a collision :-(I'm OK but car is not." (Translation: You weren't injured.) "Went to the chiro, feeling 100 percent better." (Translation: You no longer need medical care.) "Girls/Guys night out!" (Translation: The accident has not disrupted your life).

Manage your settings and archives:

- Delete any posts or tweets regarding your accident.
- Delete past comments or pictures that could be used against you.
- Make your Facebook settings private (friends and family only).
- Ask friends not to tag you in their posts.
- Don't accept new friend requests from people you don't know.
- Don't assume that Instagram, Snapchat or other apps are safe.
- Insurance companies and defense firms send their people to seminars on how to use social media to their advantage. The best way to preserve your interests after a car accident is to stay off Facebook and other social apps and then get your own legal counsel.

Hopefully you never have a crash. Meanwhile, share this post with your friends and family to spread the word about the dangers of sharing with friends and family after an accident.

ABOUT SEWELL LAW FIRM

Representing All Types of Clients in Personal Injury Cases
The Sewell Law Firm, PC, represents injury victims in a wide range of personal injury cases. We know firsthand that the injuries suffered from an accident can be severe and life-altering for both the victim and their family.

Skilled Accident Litigators
Our experienced and knowledgeable attorneys will determine if someone is responsible for your injuries. If so, they may owe you monetary damages, including compensatory or punitive damages.

Compensatory damages attempt to put an injured person back in the position they were in before being injured. They include lost wages, past and future medical expenses, and pain and suffering. In some cases, punitive damages are also awarded. Punitive damages are given to the injured person in order to penalize wrongdoers and deter others from repeating the offense.

How Sewell Law Firm Can Help
If you have been injured in an accident, the attorneys at Sewell Law Firm, PC, will provide the exceptional representation you need to seek a full recovery. Our firm offers experienced, knowledgeable, and compassionate representation to injury accident victims across the United States.

Our dedicated team of Accident Warriors will fight for your full recovery, including medical expenses, lost wages, pain and suffering, and more. We offer a free consultation to new clients and work on a contingency fee basis, which means if we don't win your case, you don't pay us anything.

Call Sewell Law Firm, toll free at 888-432-0730 so we can start fighting for you!