

Chiropractic Patient's Guide to Dealing with Car Accidents

Introduction

Every case is different. Every person can experience different injuries as a result of a car accident. Your injuries may be worse than someone else's, or they may be easier to treat and recover from than someone else's. Each person is different, and therefore each car accident case is different. The damage to your body is individual to you. That's why, for advice about your case, I encourage you to talk to an attorney who handles bodily injury claims or personal injury.

This book talks about how to get your body the help and care it needs following a car crash. More specifically, it talks about why your chiropractic treatments are so critical to your health after an accident, and how to get them covered by the other driver's insurance.

In addition to your health concerns, this book addresses your property damage claim. The insurance company handles both your property damage claim and your personal injury case in very different ways. Understanding the differences between these claims is important if you want to get the maximum amount you are entitled to receive.

Why I Wrote This Book

I represent people who are injured in car wrecks. These wrecks happen as a result of someone else's poor judgment behind the wheel—through no fault of their own. The people I often work with are typically hard-workers who were going about their day as usual when an accident happened out of nowhere. Often, they collided with another vehicle whose driver was distracted by their cell phone, or by doing something they shouldn't be doing while behind the wheel.

If you are a good person who was hurt in a car accident through no fault of your own, you need medical care and relief from the pain and stress of the crash. This book is designed to help you learn how to protect yourself and avoid doing unnecessary damage to your case.

I get many calls from people who have tried to avoid hiring a lawyer, or who aren't sure where to turn for help. This book, along with my website, is designed to help you until you can find the right personal injury lawyer for your case. You need a lawyer who understands the impact a car accident case can have on your life, and how to help you get the best outcome possible. In particular, you need a lawyer who knows about your injuries and understands how to get you the damages you deserve after this trying event.

I limit my law practice to only personal injury cases. The majority of these cases are car accident cases where someone must receive chiropractic care in order to help recover from the damages caused by the accident. I have settled over a thousand cases and sued every insurance company in Georgia.

After years of settling many similar cases and hearing the same questions, I decided to write this book to explain in detail what chiropractic patients need to know about dealing with car accidents in Georgia. If you are reading this book in another state, things may be different. I encourage you to contact a lawyer in your state. To find someone suitable for your case, please visit my website www.shanesmithlaw.com. There, under the “Links” page, you can find a list of personal injury lawyers in your area.

This is Not Legal Advice

The state bar of Georgia requires that I inform you that this book is not legal advice. I am not your lawyer. I cannot become your lawyer unless we sign a contract in which you retain my services. While the information in this book can detail your rights and offer suggestions, it does not provide specific advice about your case. If you need legal advice, please contact an attorney to discuss your specific case.

What to Expect From This Guide

This guide is a general guide written specifically for those people who need chiropractic care following a car accident. In it, you will learn:

- What to expect from a Georgia car crash claim
- What to do following a car accident to be sure you get the best settlement possible
- Why it is so important to put a lawyer on your side
- How to choose the right lawyer for your case
- How to cope with the mounting bills following your car accident claim
- Answers to some of the most common questions asked about car accidents by chiropractic patients

This book is not a substitute for legal counsel, but instead it is a good place to get your questions answered early on in your case so you can make the best decisions for your future. If you have other questions about your case that are not related to chiropractic injuries from a car accident, I encourage you to visit my website at www.shanesmithlaw.com or call us at (770) HURT 999 or (770) 487-8999.

What to Expect From a Georgia Car Crash Claim

When you're involved in a car accident, one of the first things that you worry about is what's going to happen in your case. You worry about your car getting repaired. You worry about the long-lasting impact of those property damage repairs. Most importantly, you worry about how you will get the treatment you need physically so that your body can make a full recovery.

There is a lot that goes into filing a car accident claim in Georgia. The property damage, and the physical damages are separate claims. Sometimes, an insurance adjuster will ask you to sign a "General Release". If signed—you will be settling for everything. If not negotiated or done correctly, signing this release could cost you thousands of dollars.

You cannot expect the insurance company to explain to you the significance of signing a release. Their goal is to get you to agree on a settlement that is less than what you are entitled to as a way to save their company money.

Make sure you know exactly what you are agreeing to when you sign it. It is easy to make the mistake of trusting the insurance adjuster to have your best interest in mind. I've had clients make the mistake of signing a "General Release" only to find out later that this mistake had cost them thousands of dollars. At that point, there is nothing that a lawyer can legally do to help.

I don't want to see you make that same mistake. To help you get an idea of the differences between property and personal injury claims, here are details about each one so that you know exactly what to expect during your Georgia car accident claim.

Property Damage Rights

Property damage covers the costs of the repairs to your vehicle. This includes several types of damages, such as the cost to repair your vehicle, or the market value of your vehicle – whichever is larger. This means that if the insurance company believes that they cannot fix your car for cheaper than what it is worth, they will total out your vehicle instead of paying for the repairs.

When you receive your check to cover these repairs, it will say something similar to "Property Damage." Whenever possible, it is a good idea to ask that the insurance company pays the body shop directly. This means that you will never actually see the property damage check. Instead, the money for the repairs will be given directly to the body shop doing the repairs to your vehicle.

The benefit to having your check sent directly to the body shop is that if the adjuster originally underestimated the severity of damage to your vehicle, the body shop will

work directly with the insurance adjuster to resolve it. This way, you never have to play the middleman in the negotiations for the repair of your property damage.

You have rights when it comes to the repair of your vehicle. First, you have the right to take your car to the body shop of your choosing. If your body shop gives you a different estimate for the damages to your car than the insurance company, you can ask the body shop to call the insurance company directly for you. That way, they can do the negotiations on the repairs so that you do not have to.

It is important that you wait to start work on your vehicle until both the body shop and insurance company have come to an agreement on what needs to be done and that all of the costs will be covered. If you don't, the insurance adjuster may claim that some of the damage was there prior to the crash, and they will not cover those costs. If the work is already finished, it may be harder to prove that the damage came from the accident. Always have the insurance adjuster look at the damage before any bodywork is started.

You may be surprised to learn that under Georgia law, insurance companies may use older parts, aftermarket parts, or second-hand parts. The reason for this, according to the law, is because the parts in your vehicle were not new parts at the time of the accident. Therefore, you are not entitled to receive new parts in your car again after a collision.

Diminished Value

One of the biggest concerns car accident victims in Georgia have is about the diminished value of their vehicle after a collision. The term, "diminished value" in an insurance claim refers to how much your car decreases in value after a wreck.

To calculate diminished value, the insurance company uses a formula. The insurance company tells you that this formula takes into consideration a number of factors that could impact the value of your car. However, unless there was significant damage to the frame of your car, they will not determine that you have much in diminished value.

Both the Supreme Court of Georgia, and the Georgia Insurance Commissioner have said that the court does not require this formula. However, many insurance companies continue to use it.

There are a few ways you can dispute a low diminished value portion on your Georgia car accident claim:

- **Start an in-depth negotiation with the insurance company.** This is typically not very effective because the insurance company will only refer back to the formula and say that it is fair— even though it is not.

- **Try to get an estimate from your car dealer.** This estimate should show what they would have offered you prior to the collision if you had tried to trade in your vehicle, and what they would offer you now if you traded in your vehicle. The gap between these two figures is the diminished value.
- **Pay an appraiser.** A professional vehicle appraiser can calculate the diminished value of your vehicle. Prices for an appraiser to look at your vehicle in Georgia range from \$250 to \$350 per claim. This is perhaps the most effective way to make an argument against the insurance company for a low diminished value estimate. Contact my office for names of some appraisers in Georgia that can help.

Medical Care

The medical care portion of your claim covers everything related to your injuries, including chiropractic care. It is valued based on the cost of your medical treatment, how much you need and for how long you will require the treatment. It also takes into account your pain and suffering, as well as your lost wages.

Although it may seem straightforward, calculating the medical care portion of your claim is extremely complex. It is up to your personal injury lawyer to ensure that your claim receives the maximum value available to you based on the specifics of your case.

Every case, injury, and claim is different. This means that it is impossible to give a specific dollar amount on the medical care portion of your claim before a lawyer or the insurance adjuster gets started. It takes time to look over all of the facts, determine the full extent of your injuries, and figure out the type of care you require to regain your health.

As you start to determine how much your medical care is worth in your claim, it is important to remember that you may or may not have any lost wages to recoup. You may have a variety of medical bill costs. You may also have some medicine costs both for prescription drugs and over-the-counter drugs. You should also include co-pays into the value of your claim. If you require in-home care after your accident, it is important to also include this as a part of your claim.

While you consider all of your medical costs, think outside of basic diagnosis, treatment, and care. If you needed to modify your home for any reason to accommodate your new injuries, you may be able to recoup the cost of these revisions. If you need transportation to and from your chiropractor office or doctor's office, you may also be able to recoup the cost of this transportation. Keep track of all of the mileage you spend getting to and from the chiropractor and your doctor. This may also be covered in your claim.

As you begin to think about what goes into each of your claims—property damage, and physical damage—it is important to think about any and all items that you have had to pay for to cover the costs of someone else’s negligence. When you consider every dollar and bit of your time that you have spent because someone else hurt you in a Georgia car accident, you will have a better idea of what you can expect in terms of the damages available to you in your claim.

What to Do After a Car Accident in Georgia to Be Sure You Get Your Maximum Claim

Now that you know what to expect, you should also have a clear idea of what you can do to protect your rights and ensure that you receive the maximum available to you in your settlement.

The insurance adjuster works hard to lower how much their company pays you in a settlement offer. For this reason, it is critical that you are proactive about protecting your rights so that nothing can harm your case. This could be very costly and result in you having to pay for someone else's mistakes or a situation outside of your control.

Call 911

It's tempting to not call the police. After all, you may never have thought you'd be reaching for your phone to dial 911. To make matters more confusing, the other driver may seem trustworthy enough, and ask you not to call the police. Instead, they promise to settle it directly with you so that you do not have to get anyone else involved.

Calling the police may not be something you ever imagined having to do, but in situations like this, it is an important step that you don't want to miss. After a car accident, it is important that the police get to the scene. This is especially true if your injuries are serious enough to require the help of a chiropractor.

When the police arrive on scene, they will put together a report. In the report, the responding officer will document what happened with non-bias judgment. The police officer will do an on-scene liability investigation where they will talk to both parties, determine what went wrong, draw a visual diagram of the situation, and clearly determine to what extent the other driver was at fault. This report is an important part of your case as it shows the other driver was at fault. Because the police report is put together by a third party source, the citations in the report are taken more seriously. This means that a police report citing the other driver as being at fault for the crash can be used as strong evidence in your claim.

Limit How Much You Say About the Crash

One of the first questions you may be asked at the scene of an accident is, "Are you hurt?" It is normal for people to be concerned about your well-being, but take care in how you respond. Keep in mind that many injuries, particularly those that require the help of a chiropractor, may not be immediately present. You may feel fine at the scene of the crash, and days later start to feel the aches and pains of the collision. Saying you are not hurt may jeopardize your ability to have your medical treatments and chiropractic care covered.

The next thing people will want to discuss is what happened, and what went wrong. This can also be very tempting to talk about with others at the scene, but it is important to limit what you say as much as possible. You may feel badly that the other driver made a mistake that caused the crash and try to be sympathetic to them by taking a small part of blame for the collision. This may end up hurting you in the long run and can cost you a significant portion of your settlement.

If you are unsure of whether or not you are hurt, or what specifically happened in the crash, it is okay to tell the police officer and other people at the scene that you are not sure. This way, you can be polite, but also protect yourself.

Gather Evidence

While at the scene of the crash, you should gather as much evidence as possible to help you make your case. Do not rely on the police report alone to be evidence that shows who was at fault for the crash.

One of the best pieces of evidence you can get from the crash is pictures. Using your cell phone or camera you have in your car, take pictures of the damage to your car, your injuries, the weather conditions, the directions of the vehicles, and any other relevant piece of evidence you can use to make your case. Even a bad cell phone picture is better than nothing.

See a Doctor ASAP

Seeking medical attention right away is equally important. It is crucial that you see a doctor right away, even if you do not think you are hurt.

Many injuries hide themselves. With the adrenaline rushing through your body at the time of the crash, you may not feel the hurt and pain that the crash caused until days or weeks later. This is especially true of injuries, such as whiplash, and other spine or neck injuries that require the help of a chiropractor.

By seeking immediate medical care, you may find injuries that you did not know you had. Finding and documenting these injuries early on can save you from aches, pain, and emotional stress down the road. You can get the treatment you need sooner so that you put a stop to the progression or worsening of any conditions. You also document your injuries quickly after the crash. This can help strengthen your claim for medical care so that you make it easier to get the maximum settlement.

Tell the Doctor Everything That Hurts

When you see the doctor, it is crucial that you give as many details as possible about your symptoms and ailments. Doing so allows the doctor to get a realistic idea of how you are feeling so that they can make the most accurate diagnosis of your injuries. Sometimes, you may not realize that a symptom is a sign of a bigger problem. For example, a dull, constant headache may be the sign of something bigger, such as whiplash or another neck injury that needs to be treated by a chiropractor.

Not getting the treatment for these types of injuries right away can extend the duration of your injury. In some cases, you may not realize the extent of an injury until you have already finalized the settlement. When this happens, you can no longer seek damages to cover the cost of your treatment. Instead, you will be left to pay for the pain the other driver caused physically and financially.

Talking to your doctor in detail is also a good opportunity for them to document all of your ailments to use when making your medical care claim. If the insurance adjuster denies part of your claim because they do not believe an injury happened as a result of the accident, having your doctor's documentation of your symptoms associated with your accident-related injuries can help you make a stronger case for yourself so that you get more covered.

Don't Give a Recorded Statement

It is likely that at one point the insurance adjuster will ask you to make a recorded statement about the car accident. In the recorded statement they will ask you questions to lead you to talk about what happened before, during, and after the crash. The answers to these questions will help them determine how much you will receive in your settlement.

Never give a recorded statement without talking to a personal injury attorney first!

Recorded statements are traps. Even if you were not at fault in the accident, and you are confident that you can convey that in a recorded statement, you may not be aware of some of the common tricks insurance adjusters use to get you to take some responsibility for the crash. Although it may seem as if the insurance adjuster has your best interest in mind—they do not. Their primary job is to save their employer, the insurance company, money. To do this, they must find a way to minimize how much they pay you in a settlement. With the help of your recorded statement, they can find ways to hold you responsible for some portion of the accident, even if your accident was caused through no fault of your own.

Don't Try to Settle on Your Own

Immediately following a car accident, you have a lot going through your mind. You have to get your car fixed, heal from your injuries, and manage all of the paperwork that goes along with getting into an accident. This is overwhelming and can cause you stress, which can cause you to say or do something to hurt your case.

Instead of trying to settle on your own, it is a good idea to put someone on your side who is skilled at personal injury law and understands how to get the maximum settlement for your case. This way, you can focus on getting better and recovering from your injuries instead of fighting insurance companies.

Contact a Lawyer

According to the Insurance Research Council, people who were hurt in car accidents and sought legal aid received an average of 40 percent more than people who tried to settle their claim on their own. As you seek legal counsel to help with your claim, it is important that you find the right person to represent you.

The sooner you are able to put someone familiar with car accident law in Georgia on your side, the better off you will be.

As time passes after your auto accident, the evidence necessary to hold the other driver responsible starts to disappear. This is also the time when many car accident victims make crucial errors that put their claim in jeopardy.

We're here to help! If you are ready to contact an Georgia Law accident lawyer today, contact our law office on our website at www.shanesmithlaw.com or by phone at (770) HURT 999 or (770) 487-8999.

Why Hiring a Lawyer is So Critical

You know what happened, and you know you weren't at fault. Many innocent drivers make the mistake of assuming the insurance adjuster will easily see that they were not at fault and award them what they are entitled to receive. Making this mistake can be costly.

There are a number of reasons hiring a lawyer is so critical to the success of your claim. With help of a lawyer, you can understand your rights, find the best people to help with your injuries, and eliminate the burden of having to deal with the insurance adjuster alone. Let's take a closer look at why having a lawyer on your car accident claim is a smart decision.

Help You Learn Your Legal Rights

Chances are you have not been in a car accident recently. Even if this is not your first car accident in Georgia, you may not be aware of changes made to the law or the type of compensation you have available to you through the insurance company of the driver who hit you.

Having a lawyer on your side can help you get to know your rights. Understanding your rights allows you to ask for what you are entitled to receive. In many cases, insurance adjusters will make the assumption that you do not know everything you can receive, and they will therefore not openly offer you a portion of the compensation. This can be costly.

When you have a lawyer to help you find pockets of money available to you through your insurance, the other driver's insurance policy, and more, you can be confident that you get the maximum settlement available to you in your case.

Help You Find the Right Medical Care for Your Injuries

One of the most important decisions you'll make after an accident is who to turn to for treatment. Many of the injuries sustained during a car accident can have long-term effects on your body. Finding the right person to help you with your injuries is one of the best ways to minimize these long-term effects so that you can make a full and fast recovery.

Getting the right medical care also plays a key role in your case. With the wrong care, you may wreck your case without knowing it.

If you do see a special doctor for your pain, it is also important to be open and honest with them about how you feel. If you receive regular treatment for over 90 days and still suffer from pain, you should talk to your chiropractor or doctor about how

you feel. They may alter your treatment or give you tests for other conditions they may have missed on the first diagnosis.

When you work with an attorney, you get more than legal counsel. You also get insight into how your medical treatment may proceed. They can also guide you to finding the right medical care for your injuries so you feel better faster. Because lawyers work with many car accident victims who sustained their injuries in similar ways, accessing their insight into what type of doctor you should see, and who has helped people with pain and symptoms like yours can help ease the burden of searching for a chiropractor, medical doctor, specialist, or surgeon and help you get the best treatment after a crash.

Take the Burden of Dealing with the Insurance Companies Off Your Plate

There is nothing less therapeutic than having to battle with an insurance company when you are hurt and shaken by a serious car accident. After your world was shattered by a sudden collision with another car, you want nothing more than to relax, and focus on your health and wellness. Dealing with the insurance companies and fighting for your settlement does not allow you to do this.

Without a lawyer, you have no other choice than to deal with the insurance companies on your own. If you put off dealing with the insurance companies until you feel better, you may wait too long and risk losing your entire settlement.

In every state, there is a statute of limitations that limits how long you can wait to file an insurance claim. Allowing the statutes of limitations to pass before making your claim is a surefire way to destroy your case and not get compensated for your injuries and property damage. The basic Georgia statute of limitations for personal injury is two years. However, depending on the facts of your case, this timeframe can be shorter. Also, in some city, state, and county governments, it is possible for there to be shorter statutes. These are called “ante litem” requirements, and they are completely separate from the statute of limitations. Injured children also face different statute of limitations.

Getting the help of a lawyer can assure you do not miss the statute of limitations and that you get the maximum settlement amount available to you.

Help You Know What Your Claim is Worth

There are many factors that must be taken into consideration when determining how much a car accident costs you, the victim. For example, it matters where your accident happened, and who caused the accident. The financial compensation you

receive goes beyond medical bills and property damage costs. It also includes items such as lost wages, diminished value, pain and suffering, and more. These can all be included in the compensation package to which you are entitled.

Determining the exact cost of both economic, and non-economic damages can be very difficult. For example, you may not know how much of your lost wages you are entitled to receive. You may also not know how much you should ask for in terms of pain and suffering. After all, putting a dollar amount on your physical pain and emotional suffering is nearly impossible.

When you work with a lawyer, you get a clearer idea of what you should ask for and how you should negotiate what your claim is worth. An experienced lawyer will know what type of damages you are likely to obtain from a jury if your case was to go trial, and he or she can use this insight to help determine the appropriate amount to demand from the insurance company. This is important to consider as you enter the difficult process of negotiating with the insurance adjuster.

Give You Peace of Mind You're Doing All You Can to Settle Your Claim

Let's be honest—you are hurt. You don't have the time, or energy to deal with battling the insurance adjuster to receive a fair settlement. If you do manage your own negotiations, you may wonder if you have done everything you can to get the maximum compensation available to you, or if you did or said something that put your case in jeopardy. This can cause you an enormous amount of stress at a time when all you should be doing is focusing on healing.

That's where a lawyer can help.

With the help of a lawyer skilled in working with insurance adjusters to come up with fair and just compensation for their clients, you get the invaluable peace of mind that you've done everything you could to hold the other driver responsible for their behavior. This allows you to breathe easier and focus on getting the right treatments needed to help you feel better.

Having a lawyer on your side is undoubtedly an important step toward helping you figure out what your case is worth, and negotiating so that you get the maximum settlement you are entitled to receive. Once you're ready to bring a lawyer on to your case, the next step is to determine which lawyer is the right one for the job.

How to Choose a Car Accident Lawyer for Your Case

The person you choose to represent you is one of the most important decisions you will make in your case. This person will have a tremendous influence on the outcome of your settlement, so it is critical that you have the right person on your side.

Choose a lawyer for your car accident and injuries in the same way you would choose anything else important to you. Do your research. Talk to the lawyer, talk to your friends and family, and ask questions.

Many years ago, I worked for a personal injury firm in Atlanta. Eventually, I decided to establish the Law Offices of Shane Smith so that I could better represent my clients. I focus my practice on helping those injured through no fault of their own. I found that by focusing on what we do best, our firm is more effective at helping accident victims.

Not all lawyers are the same – there is a wide range of skills, experience, and strategies used in the field of law. Although a lawyer may be able to help you with a certain area of the law, you might not want them to. For example, an experienced car accident lawyer may be able to represent you in a divorce claim, but you may not get the best outcome possible in that case simply because the lawyer is not as skilled and knowledgeable in that area of the law.

It is impossible to know much about a lawyer just by looking through the phonebook. Choosing the wrong lawyer for your case may hurt you and prevent you from getting the maximum settlement value you are entitled to.

Now that you know why choosing the right lawyer is so important, let's take a closer look at how you can make the right decision about who to hire to help with your case so that you do not put your settlement in jeopardy.

Choose Someone Knowledgeable About Insurance Policies

The first thing you should look for is someone knowledgeable about insurance policies. This person will know where to look to discover all of the pockets of money available to you.

In Georgia, everyone is required to have liability insurance. This is a minimum coverage that every driver must legally have to drive on the roads of Georgia. The liability coverage is in place to cover the cost of someone else's injuries and property damage if you cause an accident.

The insurance adjuster may refer to a liability policy as 25/50/25. These numbers represent how many thousands of dollars they will cover for various types of damages. The first figure, \$25,000, covers the total an insurance company will pay for one

person. The second figure, \$50,000, is how much the insurance company will cover to any number of claimants in the collision. The final \$25,000 is to cover all property damage excluding the policy-owner's vehicle.

This is just the minimum liability insurance coverage all drivers are required to have under the law. Many drivers carry more liability insurance above and beyond these basic limits. In addition, there may be other policies available to you, such as compensation through your own insurance policy, or additional coverage carried by the driver who hit you.

An experienced car accident lawyer in Georgia knows the ins and outs of the many different insurance policies available. When going through your car accident claim, they know exactly where to look to find the compensation available to you. Without a lawyer or someone educated in insurance coverage, you may lose out on money to which you are entitled simply because you may not know where to look.

Do not rely on the insurance adjusters to tell you what you have available to you. When you put someone on your side that knows insurance policies, laws, and regulations inside and out, you can be confident that you will get the maximum settlement available.

Someone Experienced with Your Insurance Company

It is not enough to know the insurance laws and know how to read through an insurance policy to find what you may be covered for. The right lawyer for your case will also understand how each insurance company works, and the tricks they use to try to minimize how much they give to you in a settlement.

Insurance adjusters may seem trustworthy and like they work with your best interest in mind. That's what they are paid to do. They are paid to convince you that they are giving you the best settlement offer possible after your car accident, when in reality they are working hard in the background to trick you into paying you less than you deserve.

The right Georgia car accident lawyer understands this, and through their experience, knows what your insurance adjuster is looking for, and their reasons for denying car accident victims their maximum settlement.

At the Law Offices of Shane Smith, we've successfully obtained high settlement offers for our clients from every single insurance company. We have already done the legwork for you and know, from experience, the tricks these companies use to try to pay you less than you deserve. Because of this, we also know exactly what strategies to employ on our end to get our clients fair and just settlements.

Choose Someone Informative and Educational

You wouldn't turn over something as important as your health and expensive property over to just anyone without understanding how the person can help you. Although you want to have a knowledgeable lawyer on your side, you also want to hire someone who will keep you informed throughout the settlement process. Your case is important and you deserve to know what is happening each step of the way and why your lawyer makes the decisions they do.

The right lawyer for your case will be informative. They will go above and beyond to educate you on the car accident law so that you can understand why they represent you in the way that they do.

Learning about what goes into reaching a settlement offer gives you peace of mind. You will have a better idea of what details to look for to help your lawyer obtain the best possible outcome in your case. You will understand how long you should expect to wait until your settlement offer is finalized. You will know the many intricacies of your case so that you and your lawyer can pair well together to overcome insurance company tricks and help you get the maximum amount to which you are entitled.

Top Questions to Ask Your Car Accident Lawyer BEFORE You Hire Them

When you find a few lawyers who you believe may be a good fit for your case, it's time to schedule a consultation to sit down and ask them a few more questions before making your decision on who to hire. Most lawyers understand just how important this decision is to your future. That's why most lawyers are happy to offer you a free initial consultation to discuss your case.

Prior to your consultation, you should have a clear idea of what questions you want answered. In addition, you should have an idea of the type of answer you want to hear from the attorney you are speaking to. These questions can guide your consultation so that you are confident you make the best decision for your case.

Let's take a closer look at some of the best questions to ask your lawyer when you meet them for the first time, and the types of responses you will want to hear before you make a decision on whether or not to hire them for your case.

What Experience do you Have Handling Claims with Injuries Like Mine?

The first question you should ask is about the type of experience they have with cases similar to yours. As I always tell my clients, it is important to remember that no two cases are the same. The outcome of a case depends on greatly on a variety of factors—including the speed at which the vehicles were traveling when they collided, whether a citation was issued, the amount of property damage, what was said at the scene, the type of injuries sustained, whether medical treatment was sought, whether anyone was under the influence of drugs and alcohol, whether the victim is represented by an attorney, and whether a recorded statement was given, just to name a few. However, similar cases will use similar strategies to help you get the maximum compensation available. This is why it's so important to work with an experienced attorney who knows just what strategies to employ.

Talk to your lawyer about the specifics of your case and find out the experience they have in handling cases like yours. For example, if you suffered from whiplash, ask them about their past case results for other clients who suffered from whiplash, and what they did to help them get their maximum settlement. This will give you a good idea of the types of information the lawyer is looking for in your case, how your case value will be determined, and what the lawyer will do to ensure your injuries are paid for by the driver who caused your accident.

Will You be the One Working on my Claim?

You might be surprised to learn that some lawyers meet with you initially and then hand your case over to someone else. They may hand it over to a less experienced at-

torney in the law firm, or they may give your case to another law firm completely.

You already know how important it is to choose the right lawyer for your case. However, if you're not meeting the lawyer who will be handling your case in the initial consultation, you may think you're choosing a good person to represent you, but in reality, you will not know who will be managing your case.

The lawyer that represents your case plays an enormous role in your future, and you have the right to know who specifically will be working on your case. Always ask during your consultation who will be working on your case so that there is no doubt in your mind about who is representing you in such an important matter.

What Should I Expect in Terms of Communication Throughout my Claim?

As mentioned, one of the greatest benefits of hiring a car accident lawyer to handle your claim is that you will not have to communicate with or be hassled by the insurance adjuster. This does not mean you will not want to know the status of your claim.

With a lawyer on your side, you have an invaluable resource who can answer your questions and keep you up-to-date on the status of your claim so that you know exactly what is happening, and what to expect as your case progresses. Ask your lawyer how you can reach them and find out the turn-around time for return calls when you do have questions. This way, you will have a clear communication plan in place so that there are no surprises when you call.

In addition, your lawyer will need to hear from you. They will need to know about any changes to your medical care or condition, the status of your property damage repairs, and any other important information that may be relevant to your claim. For example, if one type of medical care is not helping your injury, your doctor may recommend a more intensive, and more expensive, medical treatment option. You must keep your lawyer informed about this new, more expensive medical treatment so that they can request the relevant medical bills and records in order to get you compensated for the additional treatment.

The communication between you and your lawyer is a critical factor to discuss early on. By having a clear communication plan in place, you and your lawyer can stay on the same page. This will also prevent any surprises from popping up as you try to negotiate your settlement. Ask your attorney about their communication process before you hire them, including who you will be speaking with and what to expect in terms of contact when you reach out with a question, concern, or new case detail.

What are the Next Steps to Starting my Claim?

If you do not already have insurance claims set up, your lawyer will set up claims for you. This is the very first step towards obtaining your settlement. The insurance adjuster working on your case starts sifting through evidence, and putting together their settlement offer as soon as a claim is filed. They work quickly to try to settle cases before you incur a large amount of medical bills, and will try to pressure you into accepting an early settlement. When you are represented by a lawyer, the adjuster is required to go through him or her to communicate with you, which means that you will not have to worry about them calling and trying to push you to accept a low-ball offer.

Your attorney will likely gather evidence of your pain and expenses that you hadn't originally thought to look for, such as evidence of lost wages, prescription costs, travel expenses for your doctors' visits, and pain and suffering. If your car is at a body shop that you'd rather not use for your damage repairs, your lawyer can also help make arrangements for your car to be repaired at another shop and will request a new estimate from that facility.

These are many of the initial steps a lawyer will take when setting up your claim and building your case. As I've said previously, every case is different, so there are most likely other steps that must be taken to build the strongest case possible.

Are you ready to start your claim? Contact the Law Office of Shane Smith to setup your free consultation by calling (770) HURT 999 or (770) 487-8999, or fill out your contact form at www.shanesmithlaw.com.

What to Do About the Mounting Bills After a Car Accident

You did what you were supposed to. You sought medical treatment immediately after your car accident, and you followed all of the doctor's orders. After all, you knew that if you did not get treatment quickly, you could face long-term health problems that could haunt you for the rest of your life.

As the bills start pouring in, you may feel a sense of sticker shock as you open each one. The more your medical bills mount up, the more concerned you may become with how you are going to pay for each of your expenses. Hospital bills can be thousands of dollars each day. Tests can also be very expensive. The treatment you need following an accident adds up—potentially leaving you faced with medical costs as high as what you pay for your child's college education.

During your recovery, you don't need to focus on trying to heal from sticker shock too. Here is what you can do about medical bills from a Georgia auto accident.

Med Pay

Medical payment coverage, often referred to as "Med Pay" is a type of no-fault coverage that you can purchase. This type of coverage protects you regardless of whether you or another driver was at fault in a car accident. No matter how the collision happened, Med Pay covers you and your passengers, up to the limit you chose when you purchased your insurance policy. That way, you and your passengers can get your medical care and treatment paid for by your insurance.

This type of coverage is highly recommended for drivers in Georgia for a few reasons.

- You can go to the doctor immediately and receive medical care.
- It can substantially increase how much you receive in a bodily injury case.

Med Pay is a unique type of insurance because it only counts toward reimbursing you if you are "made whole". This is important because it means that you are free to do whatever it takes, and get whatever tests you need to diagnose and treat your injuries after an accident. You won't have to worry about paying out-of-pocket costs in cash.

Depending on which type of Med Pay you purchase, you can be covered at a variety of levels. In Georgia, these levels include:

- \$1,000
- \$2,000
- \$5,000
- \$10,000

- \$25,000
- \$50,000

The cost of each of these levels is minimal, and in many cases you will only be required to pay \$8 – \$10 per month. For the cost of a few cups of coffee, you can ensure that you and your passengers will receive the care they need without having the burden of high medical bills to contend with after a collision.

There are time limits associated with Med Pay. According to Georgia law:

*“Expenses must be incurred for services rendered **within three years from the date of the accident**; provided, however, that nothing shall prevent an insurer from allowing a longer period of time.”* O.C.G.A § 33-34-2(1)

This means that your insurance company can state that the Med Pay coverage will cover any reasonable and necessary expense related to an auto accident for medical treatment within three years of the crash. They are able to extend this time period, but they cannot shorten it.

If you do not have health insurance, Med Pay is an essential type of coverage you should carry. Even if you have health and car insurance, Med Pay can still be very beneficial because you do not have to worry about co-pays and deductibles during your treatment.

It is important to note that utilizing your Med Pay coverage will not cause your insurance premiums to go up. Georgia law prevents any insurance company from punishing you for filing a claim. Therefore, you can be confident that you will be allowed to take full advantage of your Med Pay coverage should you need it.

If you are in a car accident that is not your fault, using your Med Pay coverage will not reduce the amount the person who hit you will have to pay for your claim. Instead, it will increase how much you get back in pocket since the medical doctors will have already been paid. Having Med Pay can help you receive several thousand more dollars after your case settles.

We recommend Med Pay to all of our clients as an important safety precaution you should take in case of an accident. If you have more questions about this important type of coverage, contact your car insurance agent, or our law office at (770) HURT 999, or (770) 487-8999.

Using Your Own Insurance

If you do not have Med Pay, but you do have your own health insurance, you should always use this in case of an accident. There are a number of reasons why using your own health insurance after a collision can help.

First, most doctors feel comfortable taking your own insurance. Why is this important? Because it means that the providers are more likely to be paid, and paid on time. This makes them more comfortable about providing you the medical care you need, and less worried about having to wait until your case settles to be paid for their services.

Doctors are more inclined to request additional tests if they know that you have health insurance that will cover the cost. Most of these tests, such as MRIs, X-rays, CT scans, and blood work are very expensive. Knowing you have health insurance will make them less hesitant about ordering tests, and more likely to make a fast, accurate diagnosis and quickly get you on the road to recovery.

Many people hesitate to provide their own health insurance because they feel like it is the responsibility of the other driver to cover all of their costs. It is important to remember that even though you use your own health insurance to cover the initial costs of your medical bills, the other person will pay for the medical bills eventually, and in the meantime you won't have to worry about your bills going to collections.

When you work with a car accident lawyer, you and your lawyer present the full value of the medical bills to the other person's insurance company. This means your lawyer will demand the face value of those medical bills be paid in your settlement, regardless of whether your insurance paid for them or whether you paid out-of-pocket for them. After receiving the settlement check, you can pay for any outstanding medical bills, or pay your health insurance back if you are required to do so. Then, you get to keep any extra money from your settlement to cover your own expenses, pain, and suffering.

Whether or not you have to pay your insurance company back depends on whether they are an ERISA plan or not, and therefore governed by federal laws. If they are not an ERISA plan and cannot provide appropriate documentation of such, you are not required to pay them. This is an area with which your attorney will be very familiar, and something you can discuss in greater detail while they are gathering evidence for your case.

No matter whether you must repay your health insurance company or not, it is always a good idea to use your own insurance whenever possible. As mentioned earlier, your insurance company cannot legally punish you by increasing your rates for using your insurance. Therefore, you should not hesitate to file a claim with your own health insurance to help cover your medical bills.

Missing Time from Work

Missing time from work can be very expensive. If you are paid hourly, you will lose your regular pay, which can cost you more than the face value of all of your medical bills. If you are paid salary but do not have any sick leave, you may lose wages, which can also be very expensive. If you have had to miss time from work, you may be able to file a claim for your lost wages. To recoup your lost wages after missing time from work, you must submit documentation.

For people who are employed by a business, this can simply be a letter from your employer, and your pay stubs to show exactly how much you lost. This is documentation your lawyer can help you gather.

If you are self-employed, getting lost wages is much more difficult. People who are self-employed rarely have a salary. Instead, they pay themselves based on the profits of their company. Proving a loss in profits requires you to show a clear decline in profits on your quarterly tax returns, or from your profit and loss statements. You can also support your claim of lost wages as a self-employed worker if you are set up with a salary and a bonus structure. In either case, the insurance company will ask to see your tax returns as documentation.

For self-employed workers, it is important to note that if your testimony of how much you make conflicts with what your tax returns say you make, then you may be accused of tax fraud. Be aware of this when submitting any documentation, such as pay stubs, quarterly profits, loss statements, or tax returns.

As you can tell, there are many ways to get your bills covered under the Georgia law, but doing so can be very complex. For many people this is overwhelming. With help from a knowledgeable car accident attorney in Georgia, you can get a better understanding of exactly what you need to submit and how you should handle your expenses throughout your case.

Answers to Nine Frequently Asked Questions After a Car Crash

There are many various aspects of car accident claims in Georgia. Property damage, bodily injury, lost wages, pain and suffering, and more can all leave your head spinning from all the paperwork, regulations, and coverage concerns. Most car accident victims have never had to deal with all of these aspects, making it a very scary and confusing time. Let's look at some of the most common questions car accident victims ask.

1. My injuries were pretty serious. Do I need an MRI?

Many people worry when they hear that they have to have an MRI. They do not want to have to take the time off work to have it done, or feel that if they just rest, their injuries may heal on their own. However, especially when your injuries are serious, having an MRI is important, and may save you from permanent damage by catching severe internal injuries early on.

Anytime you have a back or neck injury from a car accident, your doctor may recommend an MRI. Even if your external injuries are not severe, you may have serious internal injuries.

MRIs are often used to detect injuries such as:

- Whiplash
- Herniated discs
- Traumatic brain injuries
- Other soft tissue injuries

An MRI uses a magnetic field and radio waves to create pictures of your body's structure. Many times, these structural images can diagnose injuries not seen on other imaging tests, such as X-rays or ultrasounds.

For serious injuries, your doctor may ask that you get an MRI. This will allow them to see internal damage that may have been caused in your auto accident. The sooner they can see and diagnose these injuries, the sooner you will be able to receive treatment and get started on your road to recovery.

2. I have had a prior back injury. How will this impact my case?

After a car accident where the other person was clearly at fault, it is normal to think that there should be no problem getting your entire injury and property damage covered. What you may not realize is that there are many times where this is not as easy as it initially seems.

Prior injuries often result in a claim getting diminished or denied. When you have a prior injury, the insurance company may use this against you to lower how much they provide you in a settlement. This can add to the challenge of getting the settlement and compensation you deserve following an accident.

Having a prior back injury is a perfect example of a challenging situation where an insurance company will try to use your condition against you to lower your settlement. The insurance company will claim that the back injury was a pre-existing condition and that it is not related to the car accident. This places the burden on you to prove that the injuries came as a result of your car accident, and not the prior back injury you experienced. You cannot, and should not, try to hide the fact that you had a prior injury.

In situations like this it is especially important to have good doctors and an experienced accident attorney on your side. With the right medical professional helping diagnose and treat your injuries, together with a skilled lawyer who understands the complexities of the Georgia car accident law, you can get the documentation and the representation to overcome this challenge so that you receive the most fair and just compensation for your claim.

Because each case is different, it is difficult to say specifically what needs to be done to ensure that your prior injury does not impact your settlement. I welcome you to call my office to set up your free consultation, and we can discuss the details of both of your injuries to find the best solution for your case so that you do not jeopardize your settlement.

3. Do you have any tips for dealing with whiplash?

Whiplash is a difficult injury in personal injury claims. It can take days, or sometimes weeks, before any of the symptoms appear. When they do, your doctor may not always be able to diagnose it based on an imaging test, such as a CT scan or X-ray. Because whiplash is challenging to diagnose, it is a good idea to talk to a specialist, such as a chiropractor, to do the exam to diagnose your injury.

If you think you might have whiplash, talk to your primary care doctor and then schedule an appointment with a specialist for a diagnosis, because your family doctor may not be able to tell the full extent of your whiplash injury. Delaying diagnosis will delay your treatment and extend your recovery time. A specialist knows what to look for with this type of injury and can give you a faster diagnosis.

If you did suffer whiplash in your car accident, you will undoubtedly want a way to get fast relief from the frustrating pain that goes along with this potentially serious injury. Some of the most common ways people deal with a whiplash injury is with pain killers. These can help temporarily—but they are not a long-term solution.

To help your body heal, you should follow your doctor's instructions. This will most often include resting your neck and back, using ice, and applying warm compresses. Sometimes, your doctor will recommend taking a muscle relaxant to help ease the tension in your muscles. In more severe cases, your doctor may ask you to wear a neck brace or collar to give your neck additional support while it heals.

Other treatments are available, such as an ultrasound or therapeutic massage. Follow your doctor's advice on additional treatments to ensure you will not do further damage to your whiplash injury.

No matter what type of treatment you use, it is important not to push your recovery. Give your body the time it needs to fully heal before engaging in sports, exercise, or any strenuous activity.

You should also let your lawyer know about your whiplash injury. This type of injury can sometimes be difficult to get compensation for. Your lawyer can advise you on how to manage your injury in a way that will not cost you out-of-pocket and still allow you to get the treatment you need to make a full recovery.

4. What are some of the long-term effects of whiplash?

If you have whiplash, you know the devastating impact it can have on your body. This injury often causes debilitating symptoms, such as:

- Headaches
- Sore and stiff neck
- Sore and stiff back
- Dizziness
- Radiating pain
- Spinal damage

When you're rear-ended, or hit in such a manner that your head is forcefully sent forward and then backwards, the tendons and ligaments in your neck are strained and stretched in an unnatural way. In serious cases, whiplash can have a long-term impact on your health. In a serious collision, you may have damage to your vertebrae, fractures, or a herniated disc.

One long-term impact of whiplash that can be very severe is TMJ, or temporomandibular joint syndrome. This is a pain in your jaw, which is not always associated with whiplash. Symptoms of TMJ include difficulty chewing and eating, locking of the jaw, or an ache

from your ear to your temple. Depending on the severity of this lasting side effect of whiplash, you may need surgery to remove scarred tissue, or repair chips in the joint.

You may also experience a concussion if you have whiplash. As most medical professionals will tell you, any injury to the head is serious. In some cases, if your whiplash and concussion go undetected, you may have paralysis, or hemorrhaging. Symptoms of this can be delayed for days, weeks, or months after your accident.

Because there are such critical long-term impacts from a whiplash injury, it is important that you see a doctor and chiropractor as soon as possible after your accident to get the care and treatment you need. By seeing someone trained in whiplash injuries, you can be checked for serious damages and side effects and get treatment quickly so that you have a greater chance at avoiding long-term effects of whiplash.

5. Do I have to go to court?

Filing a claim against another driver is an important step toward ensuring your injuries are fully paid for and covered by their insurance. However, most injured drivers worry that if they file a claim, they may have to go to court.

Every case is different, so it is impossible to say without knowing the details of your case whether or not you will have to go to court. Most claims can be settled outside of court. Working with a car accident attorney can help you get a better idea of what to expect based on all of the facts in your case.

In general, if you were not responsible for the collision, but the other driver's insurance company is not willing to pay you the full amount of what you deserve in a settlement, you may have to go to court to have a judge and jury determine how much the other driver's insurance should pay.

Going to court can be a difficult process, especially for people who never envisioned they would need to go to trial for any reason. Personal injury lawsuits can take many months, or years to file, because the full extent of your damages must be known before you know how much money to demand from the insurance company. This means that you must complete your treatment before settlement negotiations can begin. The negotiations phase alone can take a few months depending on how hard the insurance company is fighting.

Although it is not ideal, some cases must go through the lengthy process of litigation. After battling every major insurance company in Georgia, my team is skilled in helping clients win their cases in a trial. We know what it takes, the tricks and tactics they use to wear you down in court, how to show a judge and jury that you were not at fault, and the extent of your injuries so that you receive the maximum compensation.

6. Does the other driver have enough insurance to cover my injuries?

As mentioned earlier in this book, Georgia requires that every driver carry a minimum amount of liability coverage. This coverage is meant to pay for your medical costs and any damages other than your vehicle.

The minimum limits of liability coverage that every driver must carry in Georgia is \$25,000 for your injuries, \$50,000 for the injuries of everyone in the car, and \$25,000 for any property damage other than to your vehicle. For example, if you were driving with a passenger and another driver crashed into you outside your house, hitting both your car and your house, their liability insurance would cover at least a portion of your damages, if not all.

Some liability policies are sold with higher limits, covering more. It is highly recommended that you increase your liability limits on your own insurance just in case you need to cover someone else's costs. In the example named above, if a collision was forceful enough to damage your house, and hurt you, it is likely that the costs to cover all damages would exceed the minimum liability limits.

It is scary to think about, but there are many motorists on the road that do not have insurance. When you purchased your car insurance, you may have bought uninsured or underinsured motorist coverage. This is a smart coverage to have and I always recommend this to my clients. The reason? Although it is against the law to drive without the minimum liability car insurance, studies show that unlicensed and uninsured drivers represent as many as twenty percent of all fatal crashes on America's roads. Uninsured motorist coverage protects you in case you are hit by one of these people.

Underinsured motorist coverage is a little bit different. This covers you if the driver who hit you did not purchase a higher liability limit on their car insurance. There are two types of this insurance.

- **Stackable** – Stackable insurance simply means that it will stack on top of the coverage the other party already has. For example, if the other driver has the minimum \$25,000 coverage already, and you have a stackable plan worth \$25,000, you will be protected up to \$50,000.
- **Non-stackable** – This is the lesser-preferred type of insurance as it is not as valuable as stackable insurance. It works by giving your insurance company a credit for whatever the other party's insurance pays.

No matter which policy you choose, it is important to have some type of uninsured motorist coverage.

7. Will the insurance company only pay for my medical expenses?

Your property damage claim is separate from your bodily injury claim, but the insurance company of the person who hit you should pay for both your car repair and medical expenses.

It is important to note that it is a good idea to settle each claim separately. If you settle them together by signing a “General Release,” you risk settling everything because this would mean that you are releasing them of all liability for your complete damages—including your injuries. I caution every car accident victim to never sign any type of release for the insurance company without first speaking with an attorney. This can cost you thousands of dollars as you may not know the full extent of your injuries or cost of your medical expenses.

On your property damage settlement, you may choose to have the insurance company pay the body shop directly. Although they will cover the full cost of your property damage repairs, you will never have to deal with receiving the check for these damages. This is the ideal method of handling property damage repairs as it takes the burden off you from having to be the middleman and negotiate with the insurance company and the body shop.

When you're making your property damage claim, you are able to take your car to the body shop of your choice. Many people think that they must use the insurance adjuster's body shop recommendation, but this is not the case. If you take your car to another body shop, it is a good idea to have them contact your insurance adjuster directly with the estimate. Then, ask your body shop to not start on any repairs until the estimate is approved from the insurance company. Doing so erases critical evidence that shows the damages came from the collision and were not there prior to the crash. By getting your car repairs approved ahead of time, the insurance adjuster cannot dispute that the damage came from the car accident and not pay for the damages.

8. How do I get care without health insurance?

It is understandable that you would be hesitant to seek medical treatment without health insurance. However, you will be pleased to know that there are a number of options available to you so that you can get the care you need even if you don't have health insurance.

Regardless of whether or not you have health insurance, it is important that you do not hesitate to seek medical treatment, or wait for an insurance adjuster to tell you it is okay. It is important that you go to the emergency room if you are hurt. Regardless of whether or not you have health insurance, the emergency room will treat you after a car accident. They will do tests to ensure that you are not in immediate danger, and

prescribe you any medication you need to alleviate your pain.

After the emergency room, things get a little bit harder. It can be tricky to find a doctor without health insurance who will treat you on “credit.” Some people ask the insurance adjuster if they can approve the treatment immediately, or where they should go for treatment. It is rare that an insurance adjuster will do this.

Instead, it is better to talk to your personal injury attorney and try to receive treatment under a lien. This is an agreement that you sign indicating you will pay your doctor out of your settlement money. This is how most accident victims are able to get the treatment they need without having to make any payment during their treatment.

No matter whether you have soft tissue damage, or whether you have a broken bone, seeing a doctor is important.

9. Why is a chiropractor better than just a primary care provider?

You trust your primary care provider. You know that they understand your health history and that they can steer you in the right direction in terms of getting general health care. Still, you’ve been told by several people that seeing a specialist or chiropractor may be better than going to your regular family doctor.

There is good reason for this.

With injuries as unique as those you experience in a car accident, your primary care doctor may not have the skill or understanding to properly diagnose where your pain is coming from or how to treat it. More often than not, primary care doctors hear that car accident victims have back and neck pain after an accident and prescribe them muscle relaxers or pain medication to alleviate the symptoms. However, this does nothing for fixing the underlying problem.

Chiropractors are trained to help you get relief and treat your injuries. Especially in the case of back and neck injuries where your pain can continue to come back month after month. Chiropractors know what to look for and the type of treatment you need to prevent long-term symptoms.

In addition to making a better initial diagnosis and giving you treatment for your injury rather than medication to cover up the symptoms, chiropractors are able to help months down the road. If after receiving 90 days of treatment your body has not responded to what your chiropractor has done, you may need to try a more aggressive type of therapy. A chiropractor can help you find the right therapy to relieve your ongoing symptoms by modifying their treatment method or approach. They will monitor your progress and ensure that you are healing properly. This is something that your primary care doctor cannot offer.

Get More Information on Bodily Injury Claims in Georgia

As you can see, there is a lot that goes into determining the value and receiving the value of a bodily injury case. It may be overwhelming at first, but educating yourself through literature like this can be a tremendous help. You may sleep better at night knowing the details of your case. More importantly, you will know how to find the right person to help you get the settlement and compensation you deserve.

I understand how important it is to have in-depth knowledge of Georgia law after a serious car accident. That's why I've put together another guide that may give you more answers and information to help with your case. The book is titled, *Personal Injury Guide for Georgia – Top 10 Ways to Ruin Your Georgia Car Wreck Case*. In this book, you will learn common mistakes car accident victims make that destroy their chances at receiving the fair and just compensation they need.

Request your free copy of the *Personal Injury Guide for Georgia – Top 10 Ways to Ruin Your Georgia Car Wreck Case* by visiting my website, www.shanesmithlaw.com/reports . Here, you will get access to this book and other reports that give you the information and insight needed to help you make the best decisions for your Georgia car accident case.

Conclusion

I hope that this book has brought you some clarity about your Georgia car accident case. I understand how much confusion there can be about a car accident, especially when you have injuries that require the care of a chiropractor. After all, this is most likely the first time you've had to deal with many of these concerns.

If you have any other questions, I encourage you to reach out to my office. My team is happy to discuss your case with you and guide you in the right direction. If you require the care of a chiropractor, or if you have a serious question regarding your case, I am more than happy to assist you however I can.

It is our goal to resolve your claim as quickly as possible so that you can get your life back to normal. We know how difficult it can be running from one doctor to the next, and having to deal with managing your claim in the process. If you need help getting to and from your doctor, please contact us and let us know. Also, please contact the doctor's office. Many times, they may have an alternative method that can be arranged so that you can continue to receive the care you require.

We look forward to answering any questions you may have. Just remember, whatever you do—please do not talk to the insurance company about your injuries or details about the accident.

I hope this report was helpful to you. Please don't hesitate to contact me directly with any questions or concerns.

Sincerely,

SHANE SMITH

Attorney at Law

Contact Information

I'm dedicated to helping accident victims get the settlements they deserve, and I'm available to answer any questions! Contact our office today in any one of the following ways:

- Call our office toll-free at 888-927-6955, or locally at 770-487-8999.
- Fill out our short electronic contact form.
- Visit our website at www.shanesmithlaw.com and chat live with someone who can help.
- Drop by our Peachtree City office located at 263 Highway 74 North, Suite 200, Peachtree City, GA 30269.
- Reach out to us on Facebook: <https://www.facebook.com/shanesmithlaw>
- Connect with us on Twitter: <https://twitter.com/ShaneSmithLaw>

About the Author

I am Shane Smith. I grew up in a military family and have lived all over the Eastern part of the United States. I moved to Georgia in 1991 and graduated from high school in Fayette County. I attended the University of Georgia for two years and then transferred to Georgia State University in Atlanta. While at Georgia State, I was in Army ROTC and received numerous academic awards.

After receiving my Bachelor of Science in Criminal Justice, I attended Georgia State's College of Law, where I graduated Cum Laude in 2000. During this time, I was active in the Student Trial Lawyers' Association. I also interned with several prosecutors' offices and worked for a local personal injury lawyer. I married my wife, Holly, in my last year of law school.

After being admitted to the Georgia Bar, I entered the United States Army Judge Advocate General's Corps and served at Fort Campbell, Kentucky and graduated from the Army's Air Assault School. This qualified me to wear the Army Air Assault Wings on my uniform.

While in the Army, I gained extensive experience practicing criminal defense throughout the Southeast. I have defended those accused of a wide range of charges, although I primarily focused my representation on those accused of serious sexual assault crimes. I also acted as the lead attorney on the only military homicide in my multistate state district during my tour.

After leaving the Army, I moved back to Peachtree City, Georgia. I then began practicing personal injury law at a major firm in Atlanta for four years. During this time, I handled over 500 cases to completion, ranging from minor injuries to serious tractor-trailer collisions. I have represented people with injuries ranging from mild soft tissue injuries in their backs and necks to severe broken bones requiring surgery, people who have undergone lumbar fusions, and several clients who have had amputations because of their injuries. During this time, I represented numerous clients who were struck by a driver who was DUI or intoxicated, and have helped many people who were pedestrians when they were struck by an automobile.

After working downtown for several years, I established the Law Offices of Shane Smith so that I could better represent my clients. I focus my practice on helping those injured through no fault of their own. These can be people injured in car accidents, people injured on commercial or private property, or those injured by defective products.

My practice has grown tremendously over the past several years, and as a result I have been able to hire several attorneys with over 35 years combined experience to work with me in the fight against the insurance companies to obtain fair settlements for my clients. If a client isn't satisfied with the insurance company's "top offer", we will file a lawsuit on the client's behalf. This is something our firm does on a consistent basis, and it's something that many other firms simply won't do. Instead, many firms withdraw from a case once they realize a lawsuit needs to be filed. As an advocate for the injured, I know that's not in the best interest of the client, and that's just another reason I felt I could represent the best interest of my clients by establishing my own firm.

I have worked hard to develop contacts and relationships with many specialist doctors and chiropractors in the Atlanta area to help ensure that my clients can receive treatment no matter how seriously they are injured and even when they can't afford to pay for the treatment up front.

Appendix: What You Should Never Say to an Insurance Adjuster

It cannot be overstated: Talking to the insurance company after an accident is risky! When you do, you put your case in jeopardy.

Insurance companies are billion dollar businesses. They do not make their money by giving money to car accident victims. Instead, they hire well-trained insurance adjusters who look for ways to give you as small an amount as possible in your settlement.

In the first few days after your accident, before you hire an attorney to help you with your case, the insurance adjuster will undoubtedly be in touch asking you questions and requesting you to record your side of the story on tape. Insurance adjusters use this time period to try to trick you into saying something that could minimize how much you receive in your case.

If you have not sought legal counsel, you may feel overwhelmed and unsure of how your statements could be used against you. You don't want to scam a system, nor do you want to seem impolite by staying quiet. However, if you want to protect yourself, it is important that you understand their reasoning for lowering your settlement compensation, and how you can protect yourself so that this does not happen to you. The immediate aftermath of your accident is an important time in your case and you should be cautious with how much information you give to the insurance adjuster.

To help you avoid making a critical error in your case, here are five of the most damaging things you could say to an insurance adjuster after an accident:

1. I'm not hurt

Right after your car accident, your body will be in shock. You may have serious injuries, but the symptoms may not have yet presented themselves. Or, you may not think that the small aches and pains you feel the day after the crash is enough to go see a doctor. When your insurance adjuster asks if you are hurt or injured, you are more inclined to say no immediately after a car accident because you're just not sure of the full extent of damage your body endured in the collision. This is one reason they are trained to try to get a statement from you right away.

Telling your insurance adjuster you're not hurt only gives them fuel to deny your claim when your injuries worsen, or you find out you have a serious condition caused by the car accident. Many adjusters try to avoid paying expensive medical bills and chiropractic costs by claiming that injuries were pre-existing. When you claim up front that you were not hurt in a car accident, and then file a claim later trying to receive compensation for your treatment, the insurance adjuster may refute compensation for your auto accident injuries by claiming that they were pre-existing or unrelated to the crash.

2. These are all of my injuries or damages

Just as you do not want to say that you are not injured, you also do not make any statements describing or listing all of your injuries. Anytime you make a statement about “all” of your injuries or “all” of your property damage, you limit yourself, and risk being denied compensation in the future.

If you discover whiplash, or another major injury, weeks after the accident and try to tell the insurance adjuster about it to receive compensation, they may respond by denying you your claim, saying that your injury came after the accident or was not related to the accident. By giving a list early on of all of your injuries or damages, you place significant limitations on your case and risk losing thousands of dollars to cover your medical treatments.

If you were to be honest and say that you are hurt but do not know the extent of your injuries, this would not be offering up too much information, and would leave your case open in case injuries hidden immediately after the crash appear in the days, weeks, or months to follow. However, we still recommend you never speak with an adjuster. Instead, make them go through your lawyer.

3. I have nothing to hide, so I'd be happy to give you a recorded statement

You are confident that you did not do anything wrong to cause the accident, so may not think there will be any problem giving a recorded statement. Giving this statement, as harmless as it may seem, can be used against you later in your claim costing you significant money.

What may seem like a reasonable request by the insurance adjuster is actually an attempt to get you to answer questions in a way that can be construed as you admitting full or partial fault in the crash. During the recorded statement, you will be asked a series of questions. Many of these questions are psychologically loaded. For example, your insurance adjuster may ask you how you could have avoided the accident, or whether other factors, such as weather, could have played a role in the crash. Your answers to these questions can do serious damage to your settlement claim.

When asked to give a recorded statement, it is important to politely decline. You are not required to give a recorded statement about the accident and should always speak to your attorney before making any comments or answering any questions about your crash.

4. I'm so sorry this happened! I'm afraid I might be partially at fault.

You're a good person. Good people feel sorry when bad things happen. In spite of whose fault the car accident is, you may apologize and worry that you did something wrong to contribute to the accident happening. Although you may feel like you are doing a good deed saying this to the person who hit you, or to the insurance adjuster, you are only doing yourself a disservice. Apologies and partial admissions of fault can be construed as admitting full fault for the accident, which could cost you your settlement.

The insurance adjuster's job is to determine what happened in the accident, and who caused the accident. If you worry that you may have played a role in causing the crash, let the insurance adjuster do their investigation and come to that conclusion on their own. You may realize later on that the driver who hit you was drunk, or that they were texting while driving. This can put them completely at fault for the collision.

If you say that you think you may have been partially to blame for the collision, the insurance adjuster will automatically have something to use against you. This is all the evidence they really need to take a portion of your valuable compensation away from you and keep it in the pockets of their billion dollar insurance company. Even if you feel like your actions may have played a small role in the cause of the accident, it is important to avoid saying this or anything similar that could be used to give you a portion of the fault for a crash you did not cause.

5. How fast can we settle this claim?

It is normal to want to settle your claim as quickly as possible. However, you must keep in mind that the faster you reach a settlement after a car accident, the less likely it is that you will receive the full compensation to which you are entitled.

As you now know after reading this book, soft tissue injuries such as whiplash do not appear right away. If you settle your claim right away, you cannot reopen it to get compensation for these injuries—your case is closed for good. Your insurance adjuster knows this. They will be glad to settle your claim quickly because they realize that the faster they reach a settlement with you, the less likely it is that they will have to pay for any underlying injuries you may not know exist yet.

Do not hurry through the settlement process, and do not let the insurance adjuster rush you into making a settlement. In order for you to ensure the other driver covers the cost of all of your injuries, damages, and pain, you must be patient and take your time reaching a settlement once your treatment is complete.

Patience does not come easily after a car accident. It is understandable that you want your life back to normal as quickly as possible. When you work with a car accident lawyer, you get peace of mind that your settlement is happening as it should be and that you are doing everything you can to receive the maximum value to which you are entitled.

At the Law Offices of Shane Smith, we understand how challenging this time can be and want to help ease your stress. We will educate you throughout the process, giving you confidence that everything possible is being done to give you a fair settlement. Call us today to schedule your free consultation and find out if we are the right accident lawyers to represent you in your car accident claim.