Car Crash Claim Timeline: From the Crash to Settlement

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

The first days

Medical care comes first, even when injuries seem minor at the scene, and the records made that day often become important evidence. Responding officers usually prepare a crash report, and the report number is used to request a copy. Most auto policies require prompt notice to the policyholder's own insurer, even if the other driver was at fault. Photos of the scene, the cars and any visible injuries are easiest to get early, and dashcam files should be saved before they are recorded over.

Property damage and early contact

The vehicle is repaired or declared a total loss, and the insurer pays for repairs or the actual cash value. Diminished value may be claimed in some states. The other driver's adjuster may request a recorded statement or make an early offer. Many people talk with a car crash lawyer at this stage, before a release is signed. A preservation letter can ask the other driver or nearby businesses to keep video and event data recorder (EDR) data.

Medical treatment and the demand

During treatment, the medical records and bills are collected, along with proof of lost wages. Many claims are not valued until the injured person reaches maximum medical improvement, meaning the point at which doctors can describe the long-term outlook. An auto accident attorney then prepares a demand package for the insurer containing the records and bills, along car accident lawyer with a summary of damages. Some states regulate time-limited settlement demands by statute.

Settling before treatment ends

Once a release is signed, the claim is usually over for good, including any future medical costs tied to the crash. When a doctor expects surgery or ongoing care, those future costs are usually estimated before a demand goes out. The treating doctor's written opinion can document them, and serious cases sometimes use a life care plan. An early settlement can leave those costs uncovered, while waiting too long risks missing the caraccidentlawyers.wiki filing deadline.

Filing suit

The insurer may accept the demand, reject it or make a counteroffer. If the claim does not resolve, the next step is usually a lawsuit, which must be filed before the statute of limitations expires. Every state sets its own deadline, and claims involving a government agency may require written notice much sooner. In discovery, the parties exchange written interrogatories and documents and take depositions, and the defense may request an independent medical examination. Many courts order mediation before trial, and most cases resolve by settlement rather than verdict.

When the claim resolves

Settling a claim usually means signing a release. Before funds are paid out, liens from Medicare, Medicaid or health plans may need to be resolved, and settlements for minors may need court approval in many states. An automobile accident lawyer typically provides a written closing statement that shows the fee, the costs and the net recovery. This is general information and not legal advice, and it cannot predict how long a particular claim will take.