

# I'VE BEEN IN A CAR ACCIDENT, NOW WHAT?

What should you do if you have been in a car accident? With emotions running high it can be hard to process what just happened and what to do. As adrenaline surges through your system injuries may not even seem present. Below we have some action steps to take after an accident. We also have this **pamphlet on first steps after an auto accident**. Print and store this in your car for a quick reference.

## 1. STAY AT THE SCENE

You never want to leave accident site until the police indicate its ok. If you leave, especially if there has been an injury, you can face serious penalties for being a hit-and-run driver.

Check on all drivers and passengers

## 2. CHECK ON ALL DRIVERS AND PASSENGERS

Before looking at the car for damages, make sure everyone in your vehicle and the other is ok. Call 9-1-1 if anyone has serious injuries. If a person is unconscious or has neck or back pains, have them stay still until medical help arrives. The only time you want to move them is if a serious hazard requires it.

## 3. CALL THE POLICE

You should call the police anytime there is a car accident. They will fill out a police report and you will want to request a copy of that report. Also write down the name and badge numbers of the officers that arrive.

## 4. EXCHANGE INFORMATION

Be polite and ask for the names, numbers, addresses, drivers license number, license plate number and insurance information from the other driver. Also try to get all the passengers names, numbers and addresses.

**DO NOT APOLOGIZE FOR ANYTHING AT THE SCENE.** If you do, then you may be admitting legal liability for what happened. It might not be clear who was at fault and in many states the fault doesn't determine which insurer will pay.

## 5. TALK TO WITNESSES

Ask every witness, person who saw the accident, what they saw. Also get their name, number and address if possible. Also ask if they've ever seen other accidents at the same place.

## 6. INFORM YOUR INSURANCE COMPANY

Let your insurance company you've been in an accident. Tell them the truth about what happened and your injuries. Don't lie as it can lead to them denying coverage for the accident. Review the police report you obtained and point out who broke what traffic laws or who was listed at fault.

## 7. KEEP TRACK OF YOUR MEDICAL TREATMENT

In Utah you have access to \$3,000 personal injury protection (PIP). This allows you to get treatment and an exam to make sure you are ok. Keep track of dates, doctors, and receipts for any services you receive. You will also want to obtain a copy of your medical reports.

The medical expenses are somewhat easy to document but the pain and suffering portion is more difficult to prove. You need to keep a record of how your life has been impacted. Record the missed workdays, routine activities you either can't do or have become difficult and describe how the injuries have affected your family life.

## 8. TAKE PICTURES

While at the accident scene take pictures of your vehicle and the scene from each angle. It's a good idea to take pictures of each side of your car before your accident and just keep them in a file. This allows you to do a comparison with the before and after photos.

## 9. GET A PROPERTY DAMAGE VALUATION

Obtain your insurance company's damage valuation. If you aren't happy with it, you can obtain two independent repair estimates on your own. If you can't agree on your car's value, consider mediation or consult an attorney.

## 10. USE CAUTION WHEN DISCUSSING THE ACCIDENT

Don't talk about the accident to anyone other than your attorney, YOUR insurance company, and the police. You don't need to talk to a representative from the other insurance company without the knowledge of your attorney or insurer. If the other insurance calls, be polite, but have them contact your attorney to arrange an interview. Then let your attorney know the insurer called.

## 11. BE WARY OF EARLY SETTLEMENT OFFERS

**CAUTION WITH ALL SETTLEMENT OFFERS!** Sometimes the other insurance will offer money to help with bills or an amount to settle. Do not take any of this without consulting an attorney and your own insurance. Make sure all your injuries have been treated completely. Many injuries take days, weeks and months before presenting. You will also want to make sure the amount covers all your property damage is covered as well.

## 12. CONSIDER HIRING AN ATTORNEY

If there are any injuries in an accident you should have an experienced attorney. The attorneys will relieve much if not all the headache involved with dealing with the other persons insurance. They will also help gather all the medical bills so that you can focus on your health and getting your life back.

Many accident attorneys work on a contingency fee basis meaning that they will only get paid if you are awarded damages or receive a settlement.

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