

Avoid These Common Mistakes After an Auto Accident

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An auto accident can result in painful injuries, some of which might be permanent. Fortunately, you can file an insurance claim, and may even have grounds to bring a car accident lawsuit to help offset costs like medical bills, lost wages, and your pain and suffering. Yet, the decisions and steps you take in the minutes, hours, and days after your auto accident can impact your eligibility for compensation or decrease the value of your claim.

Avoid these common mistakes after a car accident.

1. Not Calling Law Enforcement to the Scene of the Accident

Some accident victims do not call the police to respond to an accident. Sometimes they figure their car is still drivable, or the damage is so minor, why even bother? Unfortunately, New Jersey law requires you to report any traffic accident that involves extensive property damage over \$500, bodily injury, or death, meaning you should report every accident unless it's truly a minor fender-bender. [You have 10 days to complete](#) a police report if law enforcement did not come to the scene.

Additionally, the police report serves as proof that the accident occurred. The insurance company, another driver, or their attorney may have a more difficult time denying your claim or arguing you had preexisting injuries when law enforcement comes to the scene of the accident, investigates the crash, and files an official report.

2. Leaving the Scene of an Auto Accident

Even if you didn't cause a car accident, you undermine your credibility and potentially damage your claim when you leave the scene of the accident. Anyone involved in a car accident has the legal obligation to remain at the scene of the accident, exchange information with others involved, and help get needed medical care. Leaving the scene of an accident when injury or death occurs can result in fines and prison time.

You can contact an attorney from the scene of the accident if you are unsure what to do, but you should never leave. Also, remaining at an accident scene preserves evidence that investigators use to determine liability. Proving fault is key to recovering compensation for losses related to injuries.

Your attorney can use the evidence from the scene of the accident to support your case.

3. Not Seeking Immediate Medical Attention

A common strategy for insurance companies to deny claims or reduce the value of a claim is to argue that a car accident victim had previous injuries or that the injuries are not as serious as a victim claims.

Letting a physician examine you for common car accident injuries soon after a crash makes any pain, discomfort, or physical injuries a part of your medical record. This proof of your injuries makes it far more difficult for insurance companies to dispute your claim.

Additionally, some car accident injuries do not immediately show symptoms. You might not feel pain or soreness for hours or days, especially if you sustained a traumatic brain injury or soft tissue injuries like whiplash. If you do not seek immediate medical treatment after a [car accident](#), you also risk doing more damage.

4. Admitting Fault

The at-fault driver is financially liable for damages related to an accident injury claim. Insurance companies and lawyers thoroughly investigate car accident claims to uncover facts to determine liability or at least shift some blame. As soon as a driver admits fault, they help the other side.

Ultimately, admitting fault is akin to taking on financial liability for damages in a car accident. The other side must prove you caused the accident before you are financially liable. Your admission is better than proof.

Do not admit fault, even accidentally (for example, a polite apology for the circumstances). Never lie when asked direct questions by law enforcement, but do not say more than necessary.

Let your lawyer and law enforcement uncover the facts of the accident. In situations where you think you are 100 percent at fault, you might find you only share partial liability because of the actions of the other driver.

5. Not Gathering Evidence

Some accidents are too severe for car accident victims to gather their own evidence. In these cases, emergency response teams come to the scene quickly, and law enforcement gathers evidence to file a police report. Yet, when accidents occur and drivers can still function after the crash, some fail or choose not to gather evidence at the scene. This is a mistake because sometimes the police get it wrong or miss something.

Accident victims who do not take the time to gather contact information, take photos at the scene, and obtain witness statements force their lawyers and insurance companies to rely on the police report.

Official crash reports contain many facts, but they are only one version of the accident. Also, the officer did not witness the accident, so his or her narrative might not be reliable. Any relevant evidence you can get at the scene of the accident soon after the crash provides a better chance for

your lawyer to protect you.

6. Failing to Report the Accident to Your Insurance Company

[Car accident victims](#) sometimes choose not to report their accident to the insurance company. In some cases, the driver feels fine and the property damage is minor, so he or she doesn't want to go through the trouble. In fact, the at-fault driver might have begged the other driver not to report the accident to insurance. In other cases, a car accident victim figures that the other driver caused the crash, so they only need to report the accident to the other driver's carrier.

First, New Jersey is a no-fault state. New drivers and those who haven't been involved in an accident before might not understand their [mandatory personal injury protection](#) (PIP) insurance. You should always report an accident to your insurance company immediately so your PIP coverage kicks in to pay benefits for medical treatment and lost wages up to the policy limit.

Additionally, most insurance carriers require drivers to report an accident if the driver's coverage might apply, even if you are certain the other driver is at fault. Failing to report the accident can result in a denied claim and/or policy cancellation in some situations.

7. Posting on Social Media Networks

Investigators from the insurance company and/or their legal team will use every strategy in their playbook to find a way to devalue your claim. This includes extracting information from your social media accounts, such as Facebook, Twitter, Instagram, etc.

Posting on social media after a car accident can be a costly mistake. Investigators for the insurance company might use even seemingly innocent facts against an accident victim. The same is true about posting pictures of the accident or any injuries. It's best to keep all evidence between you and your lawyer.

Social media posts that have nothing to do with a car accident can also harm a car accident injury claim. Investigators can use pictures of family vacations or a night out on the town to argue injuries are healing faster than expected or injuries were not as serious as the victim claimed, even if it is not true. You do not have to close down your social media accounts after a car accident, but it's in your best interest to refrain from posting until your claim resolves.

8. Trusting Insurance Adjusters

Soon after a car accident, an adjuster from the at-fault driver's insurance company and/or an adjuster from your insurance company will likely contact you to ask questions about the accident. Typically, adjusters record these interviews.

Some car accident victims make the mistake of treating an adjuster like a friend and inadvertently say something to hurt their claim. Insurance representatives learn how to connect with people and how to get accident victims to say damaging things.

You do not have to be rude to the adjuster, but keep conversation to a minimum, and direct interrogatories to your lawyer. You should consult with an attorney before you let an adjuster record you. This can protect the value of your claim by preventing you from accidentally saying something

that the adjuster might twist and use against you.

9. Accepting the First Settlement Offer

Insurance companies do not like to pay claims, and when they have to pay, they want to reduce their financial liability as much as possible. One tactic many insurance companies use is to offer a quick settlement to car accident victims. Serious injuries prevent accident victims from working, creating financial stress as medical bills roll in on top of the physical pain of injury. These offers are often insultingly low, but enough to tempt victims who are struggling with money as a result of a car accident.

Accepting the first settlement offer is problematic for two reasons. First, lawyers are trained negotiators who have experience dealing with insurance companies and know how to respond to their low offers. A skilled car accident attorney can often get a far better settlement offer for a client than the client could secure on their own.

Second, when a [car accident victim](#) accepts a settlement offer, he or she must also waive their right to take any further legal action in the future. Accepting an early offer, especially before you have a long-term prognosis for your injuries, could leave you without the compensation you deserve and need for your injuries.

10. Waiting Too Long to Take Action

Car accident victims who do not immediately take action risk losing their eligibility to receive compensation for damages related to their car accident injuries. New Jersey generally has a [two-year statute of limitations](#) for accident victims to bring a lawsuit against the at-fault driver.

Courts strictly adhere to statutes of limitations, so it's unlikely they will hear your case if you file a suit beyond the two-year time limit. The law allows for some rare exceptions; your attorney can review your case to see if you qualify for an exception if the statute of limitations has run out.

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