

The 10 Biggest Mistakes Made After a Car Accident

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You've just been in a car crash. Do you know the important actions you need to take right now? What about the things you should never do? Most people don't, yet the stakes are high.

Making the wrong moves after an auto accident can ruin your chances of getting what you deserve—or even getting better. In fact, some mistakes can affect your physical health and keep you from making a full recovery. Other errors can prevent you from recovering financially for your medical bills and other losses.

The aftermath of a crash can be chaotic, and it is easy to forget what to do – and what NOT to do. Avoid making these ten biggest mistakes after your accident, and get help for your auto injury claim today.

Here's What NOT to Do When You're Hurt in a Car Accident

After a car accident, many injury victims have the right to recover money damages for their losses, which can be extensive. However, this recovery does not happen automatically, and victims need to do certain things to seek the compensation they deserve. Failing to take certain steps or saying the wrong things can put a car accident claim in jeopardy, often leaving injury victims with less than they deserve or, possibly, with no compensation at all.

If you're in a car crash, here is a list of things you should never do. Click on each warning to find out more.

1 | Never Underestimate Your injuries

Think your injuries from a car crash aren't that bad? A lot of accident victims do—and by the time they realize that they really are hurt, it's too late. Many people think it is “normal” to feel sore, stiff, or disoriented after a car wreck. While you might disregard such sensations, they could be the signs of a serious injury.

For example, soreness or restricted motion can be a sign of a soft tissue sprain or strain. You might expect the discomfort to get better when, in reality, it will only get worse. Before your diagnosis, you can aggravate the injury even more, sometimes requiring more treatment for it to heal.

Similarly, disorientation, confusion, or fogginess following a crash is often assumed to be stress-related. However, it might be a symptom of a concussion, which is a type of traumatic brain injury (TBI). Concussions need medical treatment and can have lasting effects, so it is important not to discount any out-of-the-ordinary feelings following an accident.

Misjudging how severe your injuries are is a common mistake people make after an accident. It's also a very serious one.

Underestimating your injuries after an accident can hurt you in two ways:

1. Making it seem like you're not really hurt, which can lead insurance companies and liable parties to question your injury claims at a later date.
2. Making your recovery more difficult, which can prolong your treatment, missed work, and pain and suffering, as well as lead to possible disputes over which medical bills the liable driver's insurance should cover.

Don't say you're okay. It's natural to want to downplay your injuries, either because you're in shock and aren't sure of the extent of your injuries or because you're too overwhelmed and don't want to deal with it. Some people simply do not like having attention focused on them when they might have injuries. But if you're tempted to say, "I'm fine," after an injury—for whatever reason—don't do it.

Even if your injuries aren't life-threatening and you don't need an ambulance, don't say that you're okay. Instead, declare precisely what you mean: you don't need an ambulance. This does not rule out the possibility of less severe injuries that still need medical attention.

What if you really do think you're fine? It's still not a good idea to say so. Sometimes it takes hours or even days for symptoms to present themselves. You might feel nothing out of the ordinary right now but could develop problems later, and these problems could be severe.

To be on the safe side, our car accident attorneys always discourage victims from saying they're okay. If you're not feeling symptoms right now, just don't say anything. Otherwise, you could wind up unintentionally sabotaging your claim. The insurance company can use these early statements in which you said that you were fine to downplay the severity of your injuries and get out of paying you what you deserve.

Don't neglect to seek medical care. Always let first responders know about whatever symptoms you may be feeling, regardless of how minor these symptoms may seem. A lot of injuries don't seem severe at first, especially when you're in shock. But that initial pain can turn out to be something serious, and it can get worse.

Any type of spinal cord injury, for example, should receive emergency attention. Any movements can potentially worsen the injury, leading to a much worse prognosis. You might feel like you only "tweaked" your neck and that it's not worth mentioning to the EMTs, when in reality, you sustained damage to your spine. If you mention your neck pain, the EMTs can decide whether it's likely caused by an injury to your spinal cord. If so, they might want to immobilize you and transport you to the hospital.

Even if you don't need an ambulance ride, seek a medical evaluation for non-emergency injuries. Failing to seek medical care after an accident can be disastrous to your health, as even minor injuries can quickly lead to complications and lasting symptoms. How can your injuries get better if you never

get treatment?

If you have obvious injuries, go to the ER now.

If not, see a doctor as soon as you possibly can upon leaving the accident scene.

When you underestimate your injuries and fail to get treatment, you're making a big mistake. Sure, you may think your injuries are minor enough to resolve on their own. But it's always best to leave that assessment and documentation to a doctor. Your health is too important to risk.

To make matters worse, not getting a timely diagnosis can affect more than your health—it can jeopardize your insurance claim with the liable party. If you wait a few days to see a medical professional and get a diagnosis, the insurance company might claim that your injuries may not be from the car accident. Instead, the adjuster might assert that a subsequent event happened that led to your injuries.

For example, imagine that:

- Your car accident happened on Monday, and you did not seek treatment.
- You went to work and engaged in your usual activities on Tuesday and Wednesday, even though you were still feeling pain.
- You finally went to the doctor on Thursday and received a diagnosis.
- The insurance company might claim that something you did on Tuesday or Wednesday caused your injuries, not the crash.

Never put your health or your legal case at risk – instead, always seek a medical exam as soon as you can following a car crash.

2 | Never Wait Too Long to Act

You don't have all the time in the world to take action after you suffer injuries in a car accident. There are deadlines, called statutes of limitations, on your legal rights. The statute of limitations is only one of the reasons you need to act fast.

What exactly does it mean to take action after an accident? Filing a car accident lawsuit may seem a long way off.

But the success of your case hinges on the steps you take right now:

- If you wait to get medical care, you're not documenting the full extent of your injuries. Even worse, you're putting your health at greater risk.
- If you wait to investigate the accident, crucial pieces of evidence might vanish. Video surveillance footage could get taped over, or witnesses might forget important details.
- If you wait to reach out to a lawyer, you may have a hard time finding one to take on your case. An experienced attorney won't want to handle a case if there's not enough time to prepare it successfully.
- And if you wait too long to file a lawsuit, you'll miss the deadline completely. You'll have no chance of ever getting compensation for your claim.

Typically, car crash victims have only two years from the date of the accident to file a lawsuit. In

some cases, the deadline is even earlier.

We're not saying this to overwhelm you. But the damage you can do just by waiting too long is significant, and, unfortunately, it's an easy mistake to make. You always want to take any action to do with starting your claim sooner rather than later.

Once the statute of limitations passes, you lose the chance to file a claim. Call us today for your free consultation.

We completely understand how overwhelming the days and weeks following a crash can be. You are juggling appointments for medical treatment, you might be missing work due to your injuries, and your injuries might keep you from finishing your usual household tasks. This is a lot to deal with already, and starting a legal case might seem like too much to add to the pile.

The good news is that calling a car accident lawyer doesn't mean adding stress to your plate. Instead, speaking with the right attorney can relieve a lot of financial stress you might have after your accident.

3 | Never Give Too Much Information to the Insurance Company

Trusting the insurance company is another mistake that can ruin your accident claim. Insurance adjusters aren't on your side. It doesn't matter how friendly they seem. Their job is to save the insurance company money. The best way they can do this is by figuring out how to pay you less.

Insurance adjusters know that accident victims are under a lot of stress and vulnerable to their tactics. They tell you that you can trust them, and you might feel tempted to do so. However, trusting what the adjuster says without your own legal representation and counsel can often lead to a much smaller settlement than you deserve.

One reason that adjusters want your trust is that they are seeking information to limit your payment. They want you to open up and talk to them, as you might make a comment or give an answer that can call parts of your claim into question.

Don't give any insurance company representative details they don't need. Don't talk about fault or your injuries right now. Don't give a recorded statement.

Providing this information will not help you. It only helps the insurance company. Once they have certain statements recorded, you can't easily take them back.

Only give the company your basic information. Better yet, refer the insurance company to your car accident lawyer.

When it comes to your auto insurance policy, you do have a contract to honor. That means you have a legal obligation to your insurer. Promptly alert your insurance company about the accident, but say nothing else. The law only requires you to provide the necessary information. Once you have done that, you've met your responsibility.

You don't have this same obligation to the other driver's auto insurer. Don't let this insurance company pressure you into anything. You won't benefit from giving the insurer a statement or signing their paperwork. Ask the driver who hit you for their insurance information and leave it at that.

There's only one way to deal with an insurance company without making a mistake that risks your claim. Hire a lawyer to communicate with the insurance companies on your behalf.

Don't let insurance companies put their profits ahead of your well-being.

4 | Never Fail to Call the Police

Don't let the other driver talk you out of calling 911.

One of the most common things that car accident victims wonder is whether it is necessary to call 911. This seems like a drastic move, especially if no one has life-threatening injuries. But there are many benefits to calling 911 in addition to getting checked out by emergency medical personnel.

It doesn't matter how minor the damage may seem. It doesn't matter how sorry the other driver claims to be. You need to report the accident.

In states like New Jersey and Pennsylvania, reporting a crash isn't only a smart decision. It's something you're legally required to do.

Why does a police report matter? Without getting your body and your car examined by the right professionals, from the police officer to emergency responders to medical staff, you don't know if the accident will have serious consequences.

If you try to pursue a claim later and you don't have this information, you can't.

In addition, calling 911 can help to provide you with evidence to support your claims that the other driver was responsible for causing the accident. Part of what the police will do when they arrive is to determine whether any drivers violated the law. If so, they can issue a citation or arrest the driver, which can often help your case.

Consider a drunk driving accident, after which the other driver emerges stumbling and slurring from their vehicle. Never confront the driver, but instead, call 911 right away. Police officers will likely determine that the driver is intoxicated and place them under arrest. If the driver pleads guilty or a court convicts them of driving under the influence, your lawyer can use that to prove liability in your claim and may need no other evidence.

Even if the police do not issue tickets or make arrests, their reports might be helpful in your case, and your attorney can request the official report. In short, calling the police to report the accident is always an important step, and failing to do so can be a big mistake.

5 | Never Admit Fault

After a car crash, you'll talk to a lot of people: the police, the other driver, witnesses, and your insurance company. Many people will have questions, and you will likely do your best to answer them.

No matter who you're talking to, do not take the blame for the accident. Admitting fault for a car accident is one of the biggest mistakes you can make.

It might not even be true.

Why admitting fault for a car accident is a bad idea. The thing is, it can be difficult right after an accident to figure out what happened. In the aftermath, people accept blame for accidents they didn't even cause. For example, rear-ended drivers may blame themselves for stopping too quickly. They might not realize the other motorist caused the accident by tailgating them.

Ultimately, the statements in which accident victims are—or even just seem to be—admitting fault for the car accident can end up hurting their claim. Under [New Jersey law](#), comparative negligence applies to car accident claims in the Garden State. That means that you can pursue a claim even if you are partly at fault, as long as you are less at fault, percentage-wise, than the other driver or any other defendant.

If you rush to apologize for the accident because you think you may have made a minor error that contributed to the crash, and an investigation later reveals a much bigger error on the part of the other driver, your admission of fault can make it harder to get the money that you would otherwise be entitled to.

You could also face traffic violation citations and insurance rate hikes that you don't really deserve. It's admirable that you feel empathy for the other motorist, but the reality is that both of you (and any other victims) are now facing this unfortunate situation of a car accident to deal with.

Never apologize for an accident that isn't your fault, and never rush into admitting fault for a car accident unless you are 100 percent sure that you are the only person to blame.

Sometimes, people say things in the aftermath of a crash that might appear to be admitting fault, even if they don't realize it.

Some comments to avoid might include:

- “I’m sorry.”
- “I only looked down for a second.”
- “I didn’t even see them.”
- “I tried to slow down.”

Even if some of these comments might seem harmless to you, they are weapons in the arsenal of insurance companies seeking to reduce their liability and pay you as little as possible.

Should you ever admit fault after a car accident? Even if you think you did cause the crash, admitting fault for a car accident isn't a good idea—at least, not without first talking to an attorney.

Admitting fault for a car accident isn't a wise move, even if it seems obvious that you caused the crash. Even if the other driver blames you and the police ticket you for a violation, you are better off keeping your mouth shut—and your answers to officers' questions cooperative but short and to-the-point—than outright admitting fault.

An investigation will shed more light on exactly what happened. At that point, you can look at the evidence and see who is really at fault, and to what degree, for causing the crash.

6 | Never Neglect to Gather Evidence

After a car crash, there can be a lot going on, and the accident scene can disperse before you know

it. After all, the police likely want to clear the accident so traffic can return to normal.

Remember how failing to act quickly is one of the main mistakes people make after an accident? Not collecting evidence or getting important information right away is a key part of taking action early, and you should do so before the accident scene gets forever cleared.

While you're waiting for the police to arrive at the scene of your accident, take the time to compile as much information as you possibly can.

Here are some early steps you can take:

- **Get the names and contact information of any witnesses and ask for their statements now.** Don't wait—you want their accounts while the accident is still fresh in their minds. Ask if they would be willing to speak with you and help with your case. Do this as soon as possible, as witnesses can decide to leave the scene at any given time.
- **Collect the other driver's insurance and contact information.** You'll need their phone numbers, license plate numbers, and driver's license numbers, as well as the name of their car insurance company and their insurance policy numbers. It's okay to exchange information with the other drivers, but remember never to make a statement or admit fault during this process.
- **Get a copy of your accident report, and if possible, the badge number of the officer who completed it.** Make sure the officer has the right version of events as you told them.
- **Use your phone camera to take pictures of the accident scene.** Don't forget to photograph the damage to your car, the damage to the other car, and the position of the vehicles. Take a video of the entire scene if you can, including the surrounding road, buildings, and other conditions.

If you file a lawsuit, all of this information is very important to your case and helps your attorneys properly communicate with the insurance company about your auto insurance claim.

Another way you can help with evidence in your case is to start an accident and injury journal right away. Start at the emergency room if you can. You can even take notes on your phone if you do not have access to a real journal. Write down your pain levels and locations, what the doctor says to you, and more.

As you proceed with your treatment, keep updating your journal with:

- Pain levels and how pain impacts your life
- Activities you cannot participate in because of your injuries
- If you have difficulty sleeping due to your injuries or trauma
- Whether you are feeling mental effects, such as PTSD, anxiety, or depression
- How your injuries impact your marriage or romantic relationship
- All of your treatment appointments and how you felt before, during, and after
- How your injuries restrict your movement or cause other types of impairments

Pain and suffering is often a significant part of an injury settlement when you have serious injuries. A journal that tracks the effects of your injuries on your life can help demonstrate the extent of the pain and suffering you experienced.

7 | Never Agree to a Quick Settlement

A quick settlement sounds like a good thing, right? After all, you get a check that can help cover some of those first medical bills, and you don't have to go to court. If you're losing income from missed work, you might need help covering certain bills and expenses as soon as possible. But the reality is that settling your case too early is only good for the insurance company.

The insurance company wants to spend as little time and money as possible settling your claim. They hope that, if they give you a quick offer, you'll accept and they can keep their profits. They know that you are likely under great financial stress, and they use that to their advantage.

This happens all the time. An adjuster might say to you that the insurer wants to settle quickly to "help you." So you can "put everything behind you."

A fast settlement isn't a full settlement, however. Don't make the mistake of accepting less money than you deserve.

Don't settle fast for less. Once you accept a settlement offer and sign on the dotted line, you can't reopen your case. This is true even if you later learn that your injuries are more serious than you realized or if your recovery takes longer or costs more than you expected. When your case is closed, it's closed for good.

So, while the offer may seem fair now, it might not be even close to enough to cover the full cost of your recovery later.

Imagine that you accept a settlement offer a few weeks after the crash, since you believe your injuries are healing and you are anxious to get a settlement check. However, a year and a half after the accident, it turns out that you need surgery. You'll be out of work for weeks.

Will the money the insurer initially offered cover those damages? And what if you can never return to your old job in the same capacity? Will that quick settlement provide enough money?

Generally, people who accept settlements right away end up with far less than they deserve. Then, if their losses keep skyrocketing, they will be responsible for any costs the settlement did not cover.

Sometimes, accident victims are pretty sure they understand the nature of their losses. They might add up the medical bills they already received, and the settlement offer looks pretty good compared to these bills. But they are likely missing many other types of losses that are compensable.

Many injury claimants fail to consider:

- Medical expenses for treatments they might need in the future
- Lost income from missing work, whether it was a few hours missed or days or weeks
- Future lost earnings if they have to change jobs because of their injuries
- Physical pain and suffering, mental trauma, and other intangible losses

Damages for injury claims can be difficult to calculate. Claimants who try to do this step themselves often seek far less than they should. It is always beneficial to have a lawyer evaluate the value of your claim.

Working with an attorney can often increase the size of your settlement. In fact, clients who let attorneys handle their car accident claims receive an average of 3.5 times MORE than someone who

tries to file a claim on their own.

8 | Never Sign Anything From the Insurance Company

You should always talk to an attorney before you sign any forms from any insurance company. Otherwise, you could end up signing away your legal rights. The documents the insurer asks you to sign are legally binding contracts, and if you sign without fully understanding the terms of the agreement, you might still have to abide by those terms.

Instead, have an experienced injury lawyer review all paperwork before you sign it.

The insurance company may ask you to sign:

Releases. When you accept a settlement for any part of a claim, you'll have to sign a release form. This form releases that party from further financial responsibility. Basically, you agree that you won't sue again for a claim after you receive money for those damages.

But some releases contain language that strips you of further legal rights. If you sign these forms, you might lose your chance to pursue a claim against any defendant, not only the one already sending you a check.

This isn't fair, but it happens, which is why you need to be careful when signing a release.

Medical authorizations. We also discourage accident victims from signing a medical authorization form. When you sign this form, you allow the insurance company to review your medical history.

What you may not know is that signing this form allows your insurer to see all of your medical history, including all diagnoses and treatment you received. That includes parts of your medical records that have nothing to do with the accident. That's private health information, something the insurer should not review.

You might wonder what the big deal is—because these medical records aren't related to your accident, there's no reason they'd need them, right? But an insurer who has access to that information could twist it to reduce or deny your claim.

Suppose you had a previous injury that healed years before your accident. The old injury is unrelated to your current injuries, and you are certain of that. But an insurer might still try to use your medical records to say that the injuries you claimed to sustain in the accident are pre-existing and related to past conditions. This type of allegation can hurt your claim, even if it isn't true.

Remember, no insurance company is on your side – even your own. You need to be carefully agreeing to anything, especially in writing. Always have a trusted legal professional review anything before you sign your name and agree.

9 | Never Talk About Your Claim on Social Media

Using social media after an accident can be risky. Any information you choose to share could be helping insurance companies build a case against you.

This is because insurance adjusters regularly use social media to spy on claimants. They look for

updates and photographs that contradict your claims that you are dealing with a serious injury. They even seize on innocent posts and pictures they think they can twist to weaken your credibility.

Be especially wary of sharing updates about your accident or medical condition on social media. Even seemingly simple updates about your life could cause problems with your claim.

Suppose a Facebook friend comments on a status you post and asks how you are feeling. If you say you're feeling better, an insurer who finds that post may argue that your injuries aren't that serious and that your pain and suffering is long over.

Even if something is seemingly unrelated, the insurance companies might twist normal posts to use against you. They can use a photo of a hobby, trip, or special occasion after the accident to make it look like the injury hasn't affected your life, even if it clearly has.

How can you protect yourself? We suggest disabling your social media profiles until your case settles. At the very least, avoid broadcasting sensitive personal information across the internet. If a loved one asks you how you're doing, reach out and respond to them privately.

10 | Never Handle a Car Accident Claim on Your Own

Failing to hire an attorney may be the single biggest mistake a car accident victim can make, but many people hesitate to consult with a legal professional.

Your insurance adjuster might tell you that you don't need a lawyer, but that's only because the insurance company doesn't want you to have one.

Why? It's bad for their business. Studies show that accident victims who hire lawyers get 3.5 times more money than those who don't. A lawyer is familiar with insurance company tactics and knows better than to accept a lowball offer right out of the gate.

Paying out more money in claims may be bad news for the insurance company—but it's good news for you. After all, you want to get the full amount of money you deserve. Your recovery depends on it. Without a lawyer, you can't do that. Without a lawyer, you're looking at a huge personal hassle that ends in a lower payout.

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