



## Raleigh Accident Lawyer for Personal Injury Claims

If you have been harmed because of the negligent or reckless behavior of another, you have the right to be fairly compensated for your injuries. Whether your injuries happened in a car or other type of motor vehicle accident, because of medical malpractice, or as a result of some other event, a Raleigh accident lawyer can help you recover compensation. You may be eligible for compensation for current and future out-of-pocket expenses you incur, pain and suffering, and other damages that resulted from your injury.

### What Do I Do First after an Accident in North Carolina?

The first thing you should do after you are injured in a motor vehicle or other type of accident is seek medical attention. Your health and well-being are your top priority. Even if you are not sure if you have been seriously injured, it is a good idea to be checked out by a doctor as soon as you can after you are in an accident. Many injuries do not show themselves until days or even weeks after an accident occurs.

Next, you should contact a Raleigh accident lawyer before you talk to anyone from an insurance company. Keep in mind that the insurance company representative's job is to keep settlement amounts to a minimum. If you have significant personal injuries and/or property damage following an accident, a North Carolina injury attorney can advise how to handle the insurance companies.

## The Statute of Limitations for Accident Claims in North Carolina

Another reason to contact a Raleigh injury attorney as soon as possible to represent you is that North Carolina allows a limited amount of time to file. If you wait beyond this statute of limitations date, you will be forever barred from recovering damages for your injuries.

## Types of Accident Claims in North Carolina

Our injury attorneys handle a variety of injury claims where clients were harmed through the negligent acts of another. These include:

- [Car Accidents](#)
- [Bicycle, Scooter and Pedestrian Accidents](#)
- [Boating Accidents](#)
- [Motorcycle Accidents](#)
- [Construction Site Injuries](#)
- [Industrial Accidents](#)

## Our Raleigh Accident Lawyer Breaks Down Fault

In order to recover monetary damages after an accident, you must be able to show that the person who harmed you was negligent and at fault and that they meet the standards of negligence in North Carolina.

While your Raleigh personal injury attorney will be able to discuss the facts of your specific case with you to determine how you should proceed, the following provides an overview of [negligence](#) and fault in a North Carolina personal

injury case.

There are certain elements you and your Raleigh accident attorney must be able to prove in order to bring a successful personal injury lawsuit in North Carolina:

- That the person who injured you breached a duty of care,
- That your injuries were the result of this breach of duty, and
- That you suffered loss as a result

## Breach of Duty of Care

Whether or not the party breached their duty of care to you will depend on the facts of your case. For example, if you were injured in a car accident and the person who hit you was texting while driving, you and your Raleigh accident lawyer can assert the other driver had a duty of care to pay attention to the road while driving, and he or she breached that duty by texting while operating a motor vehicle.

## Injuries Resulting from Breach of Duty

The person bringing the lawsuit – the plaintiff – must also show their injuries resulted from the breach of duty by the defendant, the person being sued. So if a texting driver, the defendant, crashed into your car while texting and you suffered a concussion in that crash, you would show the car crash was the cause of your injury.

## Loss Resulting from Injury

The final element that you must assert in order to bring a personal injury lawsuit in North Carolina, is that you incurred physical, emotional and/or financial losses as a result of the defendant's negligent behavior. Your Raleigh accident lawyer will be able to explain the damages you can receive monetary compensation for in your case.

## Contributory Negligence in North Carolina

In North Carolina, after the plaintiff files a negligence claim, the defendant has the right to claim that the injury to the plaintiff was, at least in part, the result of the plaintiff's own negligence. In other words, the person who harmed you and caused your damages could claim, in some instances, that you were the cause of at least some of the harm you experienced. If the defendant is successful claiming you were even one percent at fault for your injuries, you could actually be barred from recovering anything.

Contributory negligence is one of the reasons it is so important to work with an experienced personal injury attorney. A claim of contributory negligence – referred to as an affirmative defense – is just one of the strategies the insurance company and defense attorneys might utilize to avoid paying your claim. At Martin & Jones, our plaintiff's attorneys know how to fight these types of claims.

## Type of Compensation: Actual and Punitive Damages

Recovering all the damages you are entitled to is one of the key jobs of your Raleigh accident lawyer - this is the case whether you are the injured party in the incident or you are bringing a wrongful death action after a close relative died as a result of another's negligence.

There are two types of damages you may be entitled to: compensatory and punitive damages.

### Compensatory Damages

Compensatory damages, also known as actual damages, are designed to make the plaintiff whole again. In other words, they are supposed to – as much as possible – return you to the state that you were in before you were harmed by the defendant. There are two types of compensatory damages: economic and non-economic.

Economic damages compensate you for the financial losses you have suffered because of your injuries. They typically include:

- Loss of current and future income
- Current and future medical bills and expenses
- Property repair or replacement expenses
- Other out-of-pocket expenses related to the injury

Non-economic damages are designed to compensate you for the general harm you have received. They often include amounts for:

- Pain and suffering
- Decreased quality of life
- Mental anguish
- Harm to spousal and other family relationships

## Punitive Damages May Be Possible with the Help of Your Raleigh Accident Lawyer

Punitive damages are not awarded in every case. Unlike compensatory damages, which a experienced car accident attorney can help you calculate, punitive damages are not based on actual loss. Instead, they are designed to punish the defendant and to send a message to others that certain types of behavior – like drunk driving, for example – are not acceptable under any circumstances. In order to claim punitive damages in a personal injury lawsuit, you must be able to show that the defendant's behavior was excessively wrong.

Also, unlike actual damages, North Carolina places a cap on how much can be awarded in punitive damages. The maximum is \$250,000 or three times the compensatory damages awarded, whichever is greater.

## We Maintain Relationships with Insurance Adjusters

Your personal injury claim will be reviewed by an insurance adjuster, and your Raleigh personal injury lawyer will regularly communicate with him or her in attempts to negotiate a favorable settlement. We leverage our positive relationships with insurance adjusters and our reputation for not recommending unfair settlements to help move your case along and ensure fair compensation. However when insurance companies do not offer fair compensation, we will explain and recommend filing a lawsuit. We will of course always follow our injured client's instructions on settlement.

## It Costs You Nothing to Work With a Martin & Jones Attorney Unless and Until You Recover

You are already burdened with out of pocket costs like medical bills and lost wages, and you likely have a long road of physical and emotional recovery ahead of you. The bills will continue to pile up. Trying to figure out the complicated personal injury claims process on your own can worsen the burden. A consultation with an experienced accident attorney does not add to your financial burdens because it costs you nothing. And if you do decide to work with a Martin & Jones auto accident attorney, you will not incur any fees or costs unless or until your case is either settled to your satisfaction or you recover in court.

## Call a Martin & Jones North Carolina Accident Attorney Today

It is important that you talk to a Raleigh accident lawyer as soon as possible after you were injured and not wait. There is important evidence that must be collected and preserved, and information that may become lost if you wait. Furthermore, the sooner you talk to an attorney to get your case underway, the sooner you will be able to receive compensation.

We encourage you to [contact us online](#) or call us at [1-800-662-1234](tel:1-800-662-1234). All consultations are no-obligation and free. We have office locations in Raleigh, [Durham](#), and Wilmington North Carolina.

## Team Members



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