MARTIN & JONES PLLC
Attorneys at Law

There may be a lot to deal with in the days following a car accident. You need to get medical treatment, get your car repaired or replaced, figure out what to do about work, and focus on your recovery. Additionally, you also need to deal with the insurance adjuster responsible for investigating your claim and determining whether the insurance company should pay damages and, if so, how much. Many pitfalls can jeopardize your claim when dealing with adjusters, but an experienced car accident lawyer can provide you with guidance.

The Adjuster Is Not on Your Side

The first thing you need to realize is that while the insurance company has a contractual obligation to honor your claim, their role is to limit their liability exposure as much as possible. This means that they may look for ways to deny liability or to pay less than what you claim is worth.

They May Try to Settle Your Claim Quickly

You may be surprised by how quickly the insurance company offers to settle your claim, sometimes within the first 48 hours following your accident. The reason they do this is to reduce what they may have to otherwise pay on the claim. Accident victims should be wary because they may be agreeing to waive any future or additional claims upon accepting the settlement payment. For example, you could have no right to additional compensation if your injuries are worse than previously thought or if you encounter complications in your treatment. Ultimately, you can wind up with uncovered losses if your settlement proceeds do not cover your total medical expenses. If the insurance company has approached you with a quick settlement offer, we recommend that you at least have the offer reviewed by a car accident lawyer before accepting.

Document Your Losses and Keep Your Documents Handy

It is helpful to have a clear understanding of your claim when dealing with adjusters. This means keeping your losses clearly documented.

- Keep copies of your medical bills and treatment records.
- Keep a copy of your repair estimates or what it will cost to replace your vehicle.
- Document your lost wages that result from your injuries.
- Documenting your injuries, the limitations it has caused, and any pain and suffering you are experiencing

Keep these records organized and in a place where they can be easily accessed. If you are able to, scanning these documents and keeping digital copies backed up to the cloud allows you to access them from anywhere. In the event that you are backed into discussing details, your records will keep you from giving vague or inaccurate information.

What You Say Can Be Used Against You

When you are talking to the adjuster, you need to be aware that anything you say may be used to evaluate your claim. Even seemingly harmless statements may work against you when it's time to settle your claim. As a result, you need to be very careful about what you say when speaking with insurance adjusters. Here are some tips for when you have to speak with the adjuster:

- **Do not speculate**. Limit your comments to objective facts such as the date, time, and location of the accident and the direction you were traveling. It is perfectly acceptable to say that you do not know or do not recall. Speculating about what you think you saw or may have happened can create factual disputes that can be used against you. Unless you are completely certain of the facts, politely decline to answer the question.
- **Do not discuss liability**. The insurance adjuster may try to get you to accept at least partial blame for the accident. This can be devastating to your claim because North Carolina is a pure contributory negligence state, meaning that even partial responsibility for the accident can bar you from any compensation. Therefore, do not admit fault to any degree. Simply state that you deny any responsibility for the accident and decline to discuss liability any further.
- **Do not discuss the extent of your injuries**. The adjuster will want to know whether you are injured and to what extent. You should limit your comments to statements like, "I'm receiving treatment from my doctor, but the extent of my injuries is not yet known," or "I'm awaiting a medical exam." They may pressure you for details, but simply tell them that you are not comfortable discussing your injuries at this time.
- **Do not agree to give a recorded statement**. The insurance adjuster for the other driver may attempt to get you to give a recorded statement. You should politely, but firmly, deny this request. If they persist, inform them that you would like to discuss the matter with a lawyer before agreeing to give a recorded statement.

Do Not Hesitate to Involve a Lawyer

Many people do not realize that a car accident lawyer can do more than file a lawsuit on their behalf. Your lawyer can assist you with the claim process, including speaking with the adjusters on your behalf. If you are required to speak to them directly, your lawyer can be present and protect you from inappropriate questions or making statements that could be potentially damaging.

Talk to a Car Accident Lawyer at Martin & Jones Today

Getting fair compensation for your injuries means taking action to protect your rights almost immediately. Do not let the insurance adjusters determine what you are entitled to. Instead, get a car accident lawyer on your side who can help you navigate the claim process to maximum results. If you have been injured in a car accident, we can help you get the compensation you deserve. Call us today at 800-662-1234 or complete our online contact form to schedule a free consultation.

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