

Under the law, injury victims are entitled to be made whole. This means that you are entitled not only to compensation for your losses such as medical expenses and lost income but also to compensation for the pain and suffering you experience as a result of your accident. The damages available for pain and suffering in your case could be significant, but unfortunately, proving this element of your claim can be extremely difficult for non-lawyers. If you have suffered serious injuries as a result of someone else's negligence, a personal injury attorney can help you get the compensation you need to rebuild your life.

Start With the Evidence

Pain and suffering are considered non-economic damages. This is because they are not easily represented by a specific dollar amount. There are no receipts, bills, or other documentation that indicate exactly how much pain you have experienced or how much suffering you have endured as a result of your accident. Pain and suffering are subjective by nature. However, the fact that they are subjective or difficult to document does not mean they are impossible to prove.

As a result, accident victims should give careful consideration to what outward signs can serve as evidence of their pain and suffering. Some examples of evidence that is typically offered in personal injury cases of pain and suffering include the following:

- Testimony from your doctors, nurses, and other healthcare providers concerning the pain and suffering that patients with the same or similar injuries typically experience.
- Testimony from your family members or friends concerning what they have observed concerning your pain and suffering and how it has impacted your daily life.
- Your medical records regarding what medications you were or are taking for pain management
- Your own testimony describing the physical pain and mental anguish that you experienced as a result of your injuries

The evidence you offer should be clear and provide sufficient detail in order to build a compelling case. An experienced personal injury attorney will know how to develop your evidence so that you receive fair compensation

for your pain and suffering.

Consider the Various Factors That Could Affect Your Claim

There are a variety of factors that play a role in determining the amount of compensation you receive for your pain and suffering. Some of the factors commonly used in awarding compensation include the following:

- The severity of the victim's injuries
- Whether the victim will suffer a permanent disability
- How long recovery will take and whether a full recovery is possible
- How the injuries will affect the victim's day-to-day life
- How the injuries will affect the victim's familial and personal relationships
- The victim's mental health as a result of the accident
- The victim's age and general health

The role these factors can play in your case is somewhat obvious but can be overlooked. For example, victims who suffer more serious injuries are likely to experience more pain and suffering than those who suffer less severe injuries. Sleep disorders or sexual dysfunction can also be used as evidence of pain and suffering. The bigger the impact that your injuries have on your everyday life, the more compensation you can seek for your pain and suffering. A knowledgeable personal injury attorney will be able to make a reasonable estimate of what your claim for pain and suffering is worth and then formulate a persuasive case to support your claim.

Determining the Value of Your Claim for Pain and Suffering

At some point, you will need to make a demand for compensation to cover all of your losses. Determining the amount of compensation you are entitled to is a relatively straightforward exercise when it comes to things like your medical bills and lost wages. Determining the amount of compensation that would be appropriate for your pain and suffering is much more difficult.

As an aside, it is important to note that insurance companies will try to pay as little as possible when it comes to pain and suffering. A personal injury attorney who is a skilled negotiator will give you your best opportunity to maximize your recovery.

North Carolina law does not specify how damages for pain and suffering are to be calculated. It is the job of your lawyer to show the insurance company or a jury at trial how the injury has affected your life.

Contact Martin & Jones to Discuss What Your Claim May Be Worth

Those who have been injured as a result of negligence deserve compensation for their pain and suffering. To discuss your case and the compensation you deserve, call us today at 800-662-1234 or [send us an email](#) to schedule a free consultation.