

Catastrophic injuries can change your life or the life of a loved one forever. For instance, victims of such injuries often suffer severe brain injuries, catastrophic spinal cord injuries, amputations, or severe burns that can result in permanent disability, complete loss of income, and staggering medical expenses throughout the victim's lifetime. That said, the consequences of catastrophic injuries play a significant role in how [personal injury](#) claims in Raleigh and elsewhere in North Carolina can be brought and ultimately resolved. Below, our Raleigh personal injury lawyer provides a brief discussion of why catastrophic injuries are important to consider as you proceed through the legal process following a serious injury.

## What are Catastrophic Injuries?

Catastrophic injuries are typically permanent or long-term in nature and can profoundly affect a person's ability to perform certain activities of daily living, employment, or both. In contrast with minor injuries that eventually heal and return to normal, the permanent or long-lasting nature of catastrophic injuries generally involves medical treatment throughout the rest of one's life, long-term therapy, and significant changes to one's lifestyle, living, and care arrangements. Examples of such injuries include traumatic brain injury (TBI), paralysis secondary to spinal cord injury, limb amputation, extensive burns, and multiple fractures.

## Immediate and Long-Term Medical Costs Can Play a Major Role in Your Claim

An immediate concern that often stems from a catastrophic injury is extensive medical costs. Injured individuals could need emergency medical treatment, surgeries, and extended hospital stays. Follow-up care could include lengthy physical and/or occupational therapy.

Medical costs have the potential to financially ruin victims and their families as they can include current medical costs for treatment, as well as future costs, such as long-term care that may include physical therapy, occupational therapy, and possibly modification to an individual's residence for disability purposes. Accordingly, a determination of the

extent, nature, and cost of medical treatment is paramount to a personal injury claim.

## Loss of Income and Earning Capacity

If the catastrophic injury is so bad that the individual can never return to work, whether temporarily or permanently, the resulting loss of income can devastate a family. Determining lost wages can involve more than current take-home pay. Consideration must also be given to future earning capacity, lost benefits, and promotions or promotional opportunities that a victim would have reasonably been expected to receive. As part of the legal process, vocational experts and economists can help explain the impact of one's injuries by providing a roadmap of a victim's career potential and demonstrating how the victim's reduced earning ability is compensable.

## Pain and Suffering Should Be Considered Too

Aside from the financial losses involved, catastrophic injuries also involve non-economic losses such as physical pain and suffering, emotional distress, and loss of enjoyment of life. Those losses are compensable in North Carolina; however, non-economic damages are often difficult to calculate.

In personal injury claims, documentation such as personal journals, testimonies from family and friends, and psychological evaluations can help demonstrate the extent of the victim's suffering. Additionally, the nature and severity of the injury, the impact on the victim's daily life, and any ongoing mental health issues, such as depression or PTSD, are considered when determining compensation for pain and suffering.

## Impact on Family and Relationships

Catastrophic injuries can also damage a victim's relationships, as spouses and/or children typically take on a caretaker role for their injured relative. In North Carolina, proving "loss of consortium" requires demonstrating how the injury has altered the family dynamics and the quality of relationships. Testimonies from family members and mental health professionals can be critical in establishing these claims.

## Legal Considerations and Challenges

Individuals impacted by catastrophic injuries have several legal hurdles to address. Our Raleigh personal injury attorney knows that the statute of limitations must always be considered when determining how to best resolve a claim. If the period passes without a claim being filed, the victim is then barred from seeking compensation.

Furthermore, North Carolina follows the contributory negligence rule, which could have a drastic impact on a personal injury case. If a victim is found to have had any degree of fault in the accident that resulted in their injuries, they could be barred from recovering any damages. Because of this, it is always vital for victims to seek the counsel of experienced personal injury attorneys who can help rebut any claims of contributory negligence.

## The Role of Expert Witnesses

Expert witnesses are frequently relied on in catastrophic injury cases. For example, medical experts may offer a diagnosis explaining the injury and comment on the prognosis and effects of the injury, while vocational experts provide an opinion on the capacity of the victim to earn an income both now and in the future. Likewise, economists can explain the financial impact, such as the cost of past and future medical expenses and loss of income. These experts add credibility to injury claims and the compensation recovery process.

## Settlements and Trials

The stakes can be incredibly high in catastrophic injury cases, so many insurance companies will try to settle the claims before they get to trial. While settling out of court can be a quick and easy option, it isn't always the best option for the injured party. Oftentimes, victims may receive initial settlement offers from adjusters or their insurance companies; however, they should NOT agree to them too quickly. Instead, they should consult a skilled Raleigh personal injury attorney who can determine if the settlement offer is enough to meet their long-term financial needs.

If no fair settlement is reached, the case will go to trial. At trial, the attorney will present evidence and expert testimony to offer more support for the victim's case. Despite the extensive length of time a trial may take prior to reaching a resolution, it may be necessary in order to secure proper compensation for the victim.

## A Raleigh Personal Injury Attorney is Available to Help With Your Case

Catastrophic injuries can have a ripple effect on every aspect of one's life as well as their personal injury claim. The extensive medical costs, lost income, pain and suffering, and the emotional toll on families all contribute to the complexity of these cases. That's why you need an experienced Raleigh personal injury attorney who can help you interpret the effects and find the best path forward. [Contact us](#) today to discuss your legal rights and options.