

Our Attorneys Help You Avoid Errors That Can Harm Your Potential Compensation After a Car Crash

Even a minor car accident can disrupt your life – even more so if you have suffered a serious injury. In the moments, hours, and days following the accident, the situation could unfold rapidly. There may be phone calls, doctor's appointments, and other obligations as you struggle to recover. It can be extremely difficult to know [what to do](#) or how to answer the questions everyone is asking. This can lead to some unfortunate mistakes that can jeopardize your claim. If you have [been in a car accident](#) and don't know what to do, a North Carolina car accident attorney can help.

Admitting Fault

A car accident can be a traumatic experience for everyone involved. Many people will accept partial responsibility just to diffuse the other driver's anger or make them feel better. Unfortunately, North Carolina is one of the few states that still follow the "pure" contributory negligence rule, meaning that you can be barred from recovering any compensation even if you are only partially responsible for the accident. In the event that you need to pursue a claim, the other driver can then use your statements against you. Even if you think you may be at fault, you should be careful not to admit it until you are certain that the accident is your fault. In addition, you should speak with a Raleigh car accident lawyer as soon as possible if the other party is trying to argue that you accepted responsibility for the accident.

Whether speaking to the other driver, the insurance company, or anyone else involved in your accident, you need to be extremely careful when it comes to discussing [who caused the accident](#). Any statement that you make at the

accident scene or in the days that follow can later be used against you when pursuing a claim for compensation, even if you don't go to court. Even if you don't admit fault, explaining what you did or didn't do could lead someone to blame you for the accident. Even if you think you were partially at fault in causing the accident, it is best that you not accept even partial fault until you have sought legal counsel.

Refusing Medical Treatment

In the moments that follow the accident, the adrenaline surging through your body may make you feel better than you might otherwise. Even if you feel ok, you should at least get examined by the EMTs that respond to the accident to ensure that you haven't suffered a [concussion or something similar](#). Some people will decline medical treatment simply because they just want to go home as quickly as possible. Unfortunately, the insurance company may try to use the fact that you declined treatment to claim that you weren't actually injured or that your injuries aren't as serious as you claim.

Ignoring Symptoms That Suggest Injury

Of course, some injuries may not be immediately apparent. A common mistake that accident victims make is to ignore the symptoms that may arise in the days following their accident. They may think symptoms will go away on their own or not even realize that they were caused by their accident. The longer you wait to seek treatment, the more difficult it may be to prove that your injury was caused by your accident. And again, the insurance company is likely to use this fact against you. The best course of action is to seek immediate medical treatment if you are experiencing symptoms such as persistent headaches, stiffness, soreness, loss of sensation or tingling in your extremities, or loss of range of motion. Listen to your body and get a thorough medical examination if you just don't feel well following your accident.

Failing to Follow Your Doctor's Orders

Another common mistake is failing to follow the treatment recommended by your doctor. This can include the following:

- Going to work instead of remaining on bed rest
- Refusing pain medication
- Missing follow-up appointments

- Missing rehabilitation and physical therapy appointments
- Not using braces, crutches, walking boots, or similar devices that the doctor or other medical professional had recommended

People fail to follow their treatment plan for various reasons – perhaps the co-pays are adding up, or some of the services aren't covered by your insurance. It is difficult to miss work or get time off of work to go to appointments. Car accidents can add significant challenges to our already busy lives.

Unfortunately, not following the recommended treatment is likely to negatively impact the value of your claim, whether you are pursuing an insurance claim or file a lawsuit at a later date. The insurance company or the other party will be able to easily argue that you are not entitled to the amount you are seeking because you either exacerbated your injuries by failing to follow medical advice or that you weren't that injured in the first place. As difficult as it may be, you should always follow the recommended treatment plan to the letter in order to protect your claim.

Providing a Recorded Statement

Insurance companies will routinely ask people involved in car accidents if they can record their conversations. It seems like a harmless request until statements that you made during that conversation are used to deny your claim.

Accident victims should also be careful when discussing the accident with the other driver. Modern technology (such as an app on a smartphone) makes it very easy to record a conversation. As a result, any statement you make can later be used against you – either to blame you for the accident or to point out inconsistencies that call your version of events into question.

Settling Your Auto Accident Claim Too Soon

Many people are surprised at how quickly the insurance company wants to settle their claim. You may even receive an offer for a cash settlement within a couple of days of your accident. There are a couple of reasons why the insurance company may do this:

1. To minimize the amount they have to pay your claim;
2. To secure a release from you for any additional or future claims.

These reasons are, of course, closely related. By settling your claim quickly, the insurance company avoids paying subsequent expenses and limits their exposure by preventing you from pursuing additional claims in the future.

Unfortunately, this can leave you with uncovered medical expenses and other losses such as lost income or your pain and suffering. Your injuries may be more extensive than previously thought and require intensive treatment that takes longer than expected. Unless you are absolutely sure of what your out-of-pocket losses will be, settling your claim too soon is a critical mistake that many people make.

With offices in [Raleigh](#), [Durham](#), and [Wilmington](#), the North Carolina car accident attorneys at Martin & Jones help car accident victims across the state. To discuss your case and options, [contact us](#) today by calling 800-662-1234 to schedule a free consultation.