MARTIN & JONES PLLC
Attorneys at Law

Many people are intimidated by the prospect of going to court. The good news is that many car accident claims settle even before a lawsuit is filed. Of those cases where a lawsuit is filed, most of those cases settle before the case gets to trial. You shouldn't let the possibility of going to court dissuade you from pursuing the compensation you rightfully deserve.

Some cases will have to go to trial. This may be because the insurance company or the other driver is being unreasonable in settling your claim. It may be because your case involves difficult legal or factual issues that cannot be resolved. Whatever the reason may be, the lawyers at Martin & Jones will make sure that you are fully prepared when it comes time for you to testify.

Before You Go to Court

Going to court is stressful, but you can make your day in court go a little more smoothly with some advance preparation. A couple of days before your court date, you want to make sure you confirm the following:

- The address and location of the courthouse
- Where you will be able to park and whether you will need to pay for parking
- The time your case will be heard
- What time and where you will meet your lawyer at the courthouse
- Whether you will be allowed to bring your mobile phone or other electronic devices into the courthouse

Struggling to find parking, going to the wrong court, or having to return to your car to leave your mobile phone behind can add a tremendous amount of stress to your day. Your lawyer can provide you with detailed information that answers all of the questions above and others.

What to Wear to Court

While standards of dress have relaxed in most of the professional world, attorneys are still expected to dress professionally when in court. Male attorneys will wear suits or a sports jacket and tie. Female attorneys will also wear suits or other professional dress. You should also dress professionally and conservatively as if you were attending church or a funeral. Your attorney can provide some guidance if you have specific questions about what to wear.

Not only is it important to observe the somewhat solemn decorum of the court, dressing professionally and conservatively communicates to others that you are taking your case very seriously. You want the judge, jury, and opposing counsel to focus on your testimony rather than be distracted by what you are wearing.

Who Will Be at My Trial?

You and Your Lawyer

You will most likely have to attend the trial, even if an attorney represents you. While your attorney can speak on your behalf, you will probably have to testify. Observing the proceedings, hearing the arguments presented by opposing counsel, and listening to the judge can help you understand what is going on in your case and help you know what to expect when you take the stand.

The Judge

A judge will preside over your trial. The judge's role can be confusing to non-lawyers sometimes. The judge's purpose is similar to that of a referee or traffic cop. Their job is to ensure the rules of the court are followed concerning who gets to speak and when and what evidence can be submitted. They can ask questions of the witnesses and the attorneys. They will also rule on objections when one of the parties feels that the other party isn't following the rules, which may involve listening to arguments from the attorneys. Finally, at the conclusion of the trial, they will instruct the jury as to what they should consider and not consider when making their decision.

In certain circumstances, the parties can waive a jury trial. In those cases, the case will be heard and decided by the judge.

The Jury

Most car accident cases that go to trial are heard in front of a jury composed of 12 people from your area chosen by the attorneys for both sides. The jury is sometimes referred to as "the finder of fact." Their role is to hear the evidence presented and ultimately decide who was at fault in the accident, whether you are entitled to compensation, and how

much that compensation will be. The same 12 jurors will be present for the entire trial.

Opposing Counsel and The Other Driver

The other driver will most likely be present to testify as to what happened in the accident. In most cases, the other driver will be represented by an attorney who their insurance company appointed.

Other Parties That May Be Present

In addition to the parties discussed above, other people may also be present:

- A court reporter
- Witnesses to the accident
- Expert witnesses
- The police officer who arrived at the scene of the accident

While your trial will be open to the public, it is highly unlikely that anyone other than the people discussed will attend. However, you are welcome to have family members or friends attend to provide emotional support.

How Long Will My Trial Take?

The length of your trial will depend on the complexity of your case. Some trials may be concluded in a single day, while others may take several days to complete. Factors that will determine the length of your trial include the severity of your injuries, the number of witnesses needed, and whether expert testimony will be required. As the trial approaches, your attorney may be able to provide you with a firm estimate of how long it will take to try your case.

What Happens at the End of My Trial?

As mentioned above, the jury will decide who is at fault in the accident in most cases. They will also determine how much compensation should be awarded to you. At that point, most insurance companies will simply pay the claim, and your case is finished.

Either party has the right to file an appeal. Generally speaking, only legal issues can be appealed. For example, the other driver may file an appeal because they believe critical evidence was not allowed to be heard that would have absolved them of liability. Even if you win, you have the right to appeal if you have a legal basis for arguing that your

compensation should have been greater than what was awarded by the jury. Appeals can be challenging, but your attorney can help you understand your options.

Contact a North Carolina Car Accident Attorney Today

Martin & Jones can help you put your life back together if you have been injured in a car accident. With 40 years of experience, we are seasoned litigators who can help you navigate the court system to get the results you need. To schedule a free consultation, contact us today at 800-662-1234.

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