MARTIN & JONES PLLC
Attorneys at Law

When someone has been burned in a car crash or had their legs crushed in a truck accident, the injuries are obvious. They are visible. Insurance companies cannot deny the existence or severity of the risk. Juries can easily imagine the terrible impact the injuries will have on the victim's life.

But many extremely serious accident injuries are not obvious at all. They don't show up clearly on X-rays. Symptoms are felt rather than seen. These injuries are essentially "invisible." Yet they are very real, and they have a profound impact on the victim's life. How do personal injury lawyers ensure that victims receive full compensation for invisible injuries such as spinal cord damage, traumatic brain injuries, whiplash, and PTSD? It takes a concerted effort to obtain and present evidence persuasively to demonstrate the impact of these non-obvious injuries. It is important for accident victims to work with a legal team that is prepared to go the extra mile to fight for full damages rather than an attorney who simply wants to settle the case quickly so they can move on to the next client.

The strategies for obtaining full recovery for invisible injuries will vary depending on the circumstances of the case, so all we can do in a blog like this is provide some general guidelines. However, if you contact our team directly for a free case evaluation, we can review the details of your specific situation.

Common Types of Invisible Injuries

Some injuries are invisible because they do not show up in standard medical imaging. Other injuries are so difficult to detect that even the symptoms are hard to prove with traditional medical evidence. To ensure that accident victims suffering from these injuries receive full compensation for these hard-to-detect injuries, attorneys have to work effectively to build a multifaceted portfolio of evidence that is persuasive to judges and juries.

Many invisible injuries fall into particular categories, while others defy classification. Some of the most common types are discussed below.

Brain Injuries

The trauma to the brain that occurs during many accidents can cause tremendous injuries to brain tissue. Sometimes these are the result of an impact from outside the head that leaves visible evidence, but most of the time the damage occurs when the brain slams against the inside of the skull. Further damage occurs as blood and other fluids accumulate in the skull, damaging brain tissue.

In some cases, damage can be detected by medical imaging, but even severe damage is not obvious to the untrained eye. Many brain injuries profoundly affect the way the brain functions while leaving virtually no visible evidence.

Soft Tissue Injuries

While damage to bones and other hard tissues can be seen on X-rays, injuries to soft tissues such as ligaments, muscles, tendons, and nerves are not easily detected on medical tests. Often, the most consistent evidence of these injuries is the pain experienced by the victim, which makes it easy for doctors to ignore and defense attorneys to discount. Yet victims who experience chronic pain from whiplash and other soft tissue injuries often find that their ability to work and enjoy life has been severely compromised because of the injuries.

Internal Organ Damage and Blood Clots

Many internal injuries, including damage to vital organs, do not show symptoms until several days after an accident. Even when an accident victim undergoes a thorough medical exam, doctors may still miss signs of these injuries. Later, even when symptoms appear and evidence of injuries may be provided through test results or medical imaging, the defense teams will argue that the injuries were caused by something that happened after the accident.

Psychological Injuries

The mental and emotional trauma from an accident often causes severe psychological injuries with no visible symptoms. Anxiety, depression, PTSD, and other disorders can destroy the victim's ability to function at work or in the home. They may be afraid to go anywhere or experience flashbacks that haunt them continually and prevent them from sleeping or even resting.

Overcoming the Challenges of Proving Unseen Injuries

It can be easy to be skeptical about injuries that cannot be seen or detected through medical tests. Defense attorneys play on that skepticism to deny injuries or downplay their severity. They might offer a very small settlement or deny recovery entirely.

As attorneys who have been fighting for the rights of accident victims in North Carolina for decades, we know how wrong that is, but we also know how much effort it takes to overcome the skepticism once it's been introduced. There are generally several steps we take to secure full recovery for accident victims. First, we work to ensure that victims are warned about the tactics that will be used against them. Everything they say and do may be monitored by defense teams looking for ways to deny liability or downplay the injuries.

We also generally urge accident victims to seek any needed medical care right after the accident and to follow the doctor's instructions, including returning for follow-up care. Often, it is evidence of consistent treatment for a condition and helps demonstrate how severe it is.

When a victim keeps a regular journal about the pain and other effects of their injuries, those consistent entries describing the impact of the injuries provide powerful evidence to show how the injuries are impacting the victim's life. The more entries there are and the longer the journaling continues, the more valuable they can be as evidence.

We also frequently consult with medical experts who can explain the injuries, and we urge victims to see specialists when recommended by their primary doctors.

Martin & Jones Understands How to Build a Strong Case for Compensation for Unseen Injuries

When chronic pain, mental dysfunction, or other effects from injuries that are hard to detect are interfering with your life, it is easy to feel hopeless. When those injuries were caused by the irresponsible actions of others, Martin & Jones can work to obtain justice and fair compensation for the harm you've suffered.

To schedule a free case evaluation and consultation with our dedicated personal injury attorneys, call us at 800-662-1234 or contact us online today.

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