

If you have been injured in an accident, the law entitles you to be “made whole.” This means that you deserve compensation for both your economic losses as well as your non-economic losses such as your pain and suffering. Pain and suffering can be a substantial part of your claim, but can be difficult to calculate because it is not represented by a bill or invoice. That doesn’t mean that you can simply choose a number – to be compensated for your pain and suffering, you need to be able to justify the amount you are seeking. Fair compensation for your pain and suffering is one of the most important reasons why you should consider working with an experienced [personal injury attorney](#).

Are There Limitations on Damages for Pain and Suffering in North Carolina?

North Carolina does not cap damages on pain and suffering except in [medical malpractice cases](#). In those cases, victims are limited to \$500,000 for pain and suffering. The only exceptions are when the healthcare provider was reckless, engaged in fraud, or intentionally or maliciously caused your injuries. Otherwise, there are no limitations on the damages you can seek for pain and suffering in all other cases such as [motor vehicle accidents](#).

Evidence You Will Need to Prove Pain and Suffering

Pain and suffering can be subjective, which means that there is no direct evidence that you can rely upon to support your claim. Instead, you will need the following:

- Testimony from friends and family regarding the impact your injuries have had on your life
- Testimony from your physician and other healthcare providers concerning the pain and suffering typically experienced by people with the same or similar injuries
- Your journal or other records that you have kept detailing your recovery and how your pain and suffering are affecting how you live your life
- Medication records for painkillers and antidepressants

Many people are reluctant to share the full extent of their pain and suffering. This is completely understandable as it can be extremely embarrassing – no one wants to publicly share that they are struggling with incontinence, sexual dysfunction, or severe depression. Unfortunately, this may be the only way that you can get the compensation you deserve. A knowledgeable attorney can help you gather the evidence you need to make a persuasive claim for pain and suffering while avoiding any unnecessary embarrassment.

Factors That Will Determine Compensation for Pain and Suffering

Calculating what would be fair compensation for your pain and suffering starts with identifying the various factors that the insurance company or a court will consider. These factors include the following:

- The extent and severity of your injuries
- How long recovery will take and whether you can be fully healed
- Whether you will suffer any permanent disabilities
- Your age and general health
- The impact your accident and your injuries have had on your mental wellbeing
- How your injuries limit your daily living
- How your injuries have affected your personal and familial relationships

You will need to carefully document whichever of these factors apply to your case. Your attorney can help you build a strong claim for pain and suffering so that you can get the compensation you deserve.

Contact Martin & Jones and Work With One of Our Personal Injury Attorneys

A serious injury can change your life forever, which is why it's important that you get the compensation you need. At Martin & Jones, we work hard to help our clients move forward after suffering a debilitating injury. To discuss your case and how we can help, [contact us](tel:800-662-1234) today at 800-662-1234 to schedule a free consultation.