

# Injury Claims and Recovery Explained by a Raleigh Personal Injury Lawyer

Coping with serious injuries or the death of a loved one because of the negligent acts of another can be the most difficult time of our lives. Not only are you experiencing physical and emotional pain, but you are probably worried about financial matters such as medical bills and your lost wages and income due to the loss of your ability to earn a living. In times like this, you need someone by your side every step of the way to help you understand what your legal rights are for pursuing a claim, how the personal injury litigation process works, and whether you should hire a Raleigh personal injury lawyer to represent you.

At Martin & Jones, we understand what you are going through because we work with people in your situation every day, and we've been helping people and their families for nearly 40 years. While it is impossible to know exactly what you can expect in your unique circumstances without talking with you one-on-one, our personal injury attorneys have put together the following overview of how personal injury claims generally work in North Carolina in order to answer some of your most pressing questions. Of course, you can call us anytime for a more detailed, no-cost, no-obligation consultation.

## What Types of Situations Can Give Rise to Personal Injury Claims in Raleigh North Carolina?

Under personal injury law – also called tort law – a legal action can be brought by a Raleigh personal injury lawyer on behalf of an injured person (called the plaintiff) who is [seeking damages](#) for losses he or she suffered following the negligent or intentional act of another (the defendant). If you've suffered an injury that you believe was due to

someone else's negligence, a Raleigh personal injury law firm can review your case and evaluate your claim. This could include the following:

- **Car Accidents**- are common, but these cases are often more complex than many people expect. From identifying the cause of the accident to establishing fault, a Raleigh personal injury lawyer can guide you through the claim process to ensure that you get fair compensation for your losses. While most of our cases settle long before trial, we are seasoned litigators who are fully prepared to go to court in order to achieve a fair result for our clients.
- **Trucking Accidents**- it is a mistake to assume that trucking accidents are the same as car accidents but with larger vehicles. Accidents involving large trucks and other commercial vehicles also involve challenging legal questions regarding whether the driver's employer should be held liable. In addition, trucking and transportation companies have legal obligations that other motorists do not have. If you have been injured in a truck accident, you need a Raleigh personal injury lawyer who understands the unique questions that the cases pose and, more importantly, who knows how to get the compensation you need.
- **Work Injuries**- people who get injured on the job and find themselves unable to work face an immediate crisis - how will they pay their bills and take care of their families? While workers' compensation provides an essential safety net for those who are suddenly unable to work, the claim process can be difficult and claims are regularly denied. We help our clients get the benefits they need as quickly as possible so that they don't have to risk losing everything. For those who have already filed and been denied, we can help you file an appeal. If you have been injured at work and have questions, a Raleigh personal injury lawyer can get you the answers you need.
- **Construction accidents**- if you have been injured on a construction site, a Raleigh personal injury lawyer can walk you through your options. In most cases, this may involve filing a workers' compensation claim. However, some cases can involve third-party liability or a claim against a manufacturer of a defective or dangerous product. Construction site accidents often present unique issues that require careful consideration from someone who can spot the critical facts.
- **Medical Malpractice**- for anyone who has suffered harm as a result of medical malpractice, finding the way forward can feel impossible. Our firm has deep experience in handling medical malpractice claims can help you get the compensation you need to build a brighter future. We take on the most challenging medical malpractice claims including birth injuries, surgery errors, misdiagnoses, and other errors.
- **Industrial accidents**- industrial workers are exposed to a multitude of hazards on a daily basis from dangerous machinery to toxic substances. Many workers find themselves contracting a serious illness such as **mesothelioma** or suffering an illness that leaves them unable to work. A Raleigh personal injury lawyer can help you understand your options for pursuing the compensation you deserve.
- **Product Liability**- people who are injured by dangerous or defective products may be entitled to compensation under North Carolina law. A defective product is one that is unsafe for use by consumers due

to a design, manufacturing, or labeling defect. Unfortunately, identifying these defects can be extraordinarily difficult for non-lawyers. Furthermore, even if you can identify the defect, you then have to determine who among the various entities involved in making and selling the product is at fault. A Raleigh personal injury lawyer can solve all of these problems so that you can get fair compensation for your injuries.

- [Wrongful Death Claims](#)- nothing can replace the loss of a loved one. However, you and your family need to move forward, and that may mean facing bills that you can't pay. The loss of a loved one involves a loss of companionship, guidance, and support, but it also means that your family could be facing a financial crisis. If your loved one is gone too soon as a result of someone else's negligence, a Raleigh personal injury attorney can help you get the compensation your family needs to pick up the pieces.

The [North Carolina personal injury law firm](#) of Martin & Jones has been representing injured people across the state of North Carolina for nearly 40 years. We know how to gather the evidence you need to build a strong case. We know how to hold parties accountable for their negligence so that you can get the compensation you need.

## Motorcycle Accidents in Raleigh North Carolina

[Motorcycle accidents](#) are some of the most severe motor vehicle accidents we handle. Because they are smaller and lighter than trucks and passenger vehicles, motorcyclists are exposed to tremendous risk of serious injuries and even death in an accident. Traumatic brain injuries, spinal cord injuries, and broken bones are common in motorcycle accidents, injuries that may require months of intense medical treatment.

A Raleigh personal injury law firm that regularly handles motorcycle accidents can give you a tremendous advantage when it comes to pursuing your claim. Understanding the bias against motorcyclists and what commonly causes accidents will build a strong case to help you get the compensation you need.

## ATV and Four-Wheeler Accidents

Unlike motorcycles, ATVs and four-wheelers do not face hazards from other drivers. Instead, four-wheelers and ATVs are inherently dangerous vehicles. That said, they are sometimes defective - they lack necessary safety features, or the way they were designed or manufactured rendered them unsafe in a way that isn't immediately apparent.

However, these are complicated cases to prove - you will have to pursue your claim against a corporate entity that will probably deny any responsibility for your injuries.

## Dog Bites and Animal Attacks

[Dog bites and other animal attacks](#) can also result in severe injuries, especially for [children](#) and the elderly. These injuries may require extensive medical treatment and can result in permanent disfigurement or disability. If you've been injured by someone else's dog or other vicious animals, you may be able to get compensation for your injuries and other losses.

The law pertaining to dog bites and animal attacks varies from state to state, and North Carolina's laws are very complicated. A Raleigh personal injury lawyer that knows how to handle dog bite cases will be able to evaluate your case and determine whether you have a claim.

## Our Raleigh Personal Injury Lawyers Handle Pedestrian Accidents

When pedestrians are struck by a moving vehicle, it almost always results in severe injuries and even death. Common causes of pedestrian accidents are as follows:

- Distracted driving
- Driving while intoxicated
- Failure to yield
- Reckless driving

Determining the cause of the accident will be critical to your success. An experienced Raleigh personal injury law firm will be able to review your case's facts, reconstruct the accident, and determine exactly what happened. Because North Carolina is a contributory negligence state, it's important to prove that your own negligence in no way contributed to the accident.

You may also need to consider whether you should pursue a claim against some party other than the driver. For example, perhaps the intersection was poorly lit, or the crossing signals were malfunctioning. If injured in a construction zone, perhaps the construction company failed to provide a safe alternate route when they closed the sidewalk. If you have been injured in a pedestrian accident, you need a Raleigh personal injury lawyer that will consider every angle of your case.

## Our Raleigh Personal Injury Law Firm Can Help You After a Bicycle Accident

Cyclists have a right to use our streets and roadways, but many motorists do not keep an eye out for them while driving. As a result, the drivers involved in bicycle accidents often report that they "just didn't see" the cyclist. While accidents are sometimes unavoidable, many bicycle accidents result from negligence on the part of the driver. Similar

to pedestrian accidents, you also need to consider other factors that may have contributed to the accident. Was the bike lane unsafe in its design? Was there appropriate signage? Did poor road conditions force you out into traffic? Because the injuries cyclists suffer in an accident can be so serious, it's important to consider every potential source of liability.

## An Attorney from Martin & Jones Will Not Settle For Less Than Your Case is Worth

Establishing the defendant's fault is just one aspect of bringing a successful personal injury case. Being able to prove the amount of damages – past, present, and future – that you are entitled to recover requires professional skill, knowledge, and sometimes liability and damages from expert witnesses.

A seasoned trial lawyer knows how to present evidence of loss through solid investigation and expert analysis and testimony. Your attorney will also know whether, along with compensatory damages, you could be entitled to punitive damages, which could be as much as \$250,000 or three times your actual damages. Further, when you work with Martin & Jones, you work with a firm that has a proven track record of success. The other side is well aware of our decades-long reputation for fighting for our clients. They know that we will not back down if the case doesn't settle for a fair amount.

We are ready, willing, and able to proceed to mediation and/or trial if that is the best course of action in your case. Having a Raleigh personal injury lawyer from Martin & Jones by your side can be a game changer when it comes to negotiating with insurance companies.

## What Will My Lawyer Have to Prove in Order to Hold the Defendant Responsible for My Injuries?

Regardless of how you were injured, laws regarding negligence and recovery of damages will apply. In order to succeed in a personal injury claim, you and your Raleigh personal injury lawyer will need to prove that:

- You were owed a duty of care by the defendant,
- The defendant breached this duty of care,
- Your injuries were the result of this breach of duty, and
- You suffered damages as a result

## What If I Am Blamed by the Defendant for My Own Injuries?

Under North Carolina's contributory negligence law, if you contributed to your own injuries, you may lose your right to recover compensation for your losses. There are legal exceptions to this general rule, for instance, if the defendant was grossly negligent or had the last chance to avoid the injuries. North Carolina is one of the only states that still follow this strict contributory negligence standard when deciding personal injury claims.

## Do I Really Need a Raleigh Personal Injury Lawyer?

This is a question some folks ask only after they have given a statement that damages their claim or worse. There is nothing that prevents you from dealing with the insurance companies on your own, but there are plenty of practical reasons to work with an attorney who knows the law and will prevent you from falling into the traps that skilled insurance investigators sometimes seek to use.

## Will I Have to Go to Court to Recover for Damages?

The vast majority of personal injury cases are handled through a settlement process before the parties go to court. This is done informally, without court intervention, and involves the injured party, the person who caused the harm, their lawyers, and the insurance companies all getting together to work out an agreement. If you enter into settlement negotiations and end up accepting the settlement amount offered, you will not be able to pursue the case further in court. But in cases where the defense either refuses liability or offers an amount that is too low, you can elect to pursue litigation by filing a personal injury lawsuit.

## How Long Do I Have to File My Claim?

As a general rule, there are many exceptions under North Carolina's statute of limitations for filing a claim for damages following an accident, but there are numerous exceptions to this rule. For instance, if the accident resulted in fatalities, you need to file a wrongful death lawsuit. Also, if the injury was caused by a defective product, such as a car or piece of equipment, the statute of repose may greatly reduce the amount of time you have to bring a legal claim. There are different rules if the victims are minors or if there is a government entity involved in the case.

## We Maintain Relationships with Insurance Adjusters

Your personal injury claim will be reviewed by an insurance adjuster, and your Raleigh personal injury lawyer will regularly communicate with him or her in attempt to negotiate a favorable settlement. We leverage our positive relationships with insurance adjusters and our reputation for not recommending unfair settlements to help move your case along and ensure fair compensation. However, when insurance companies do not offer fair compensation, we will explain and recommend filing a lawsuit. We will of course always follow our injured client's instructions on settlement.

## It Costs You Nothing to Work With a Martin & Jones Personal Injury Attorney Unless and Until You Recover

You are already burdened with out-of-pocket costs like medical bills and lost wages, and you likely have a long road of physical and emotional recovery ahead of you. The bills will continue to pile up. Trying to figure out the complicated personal injury claims process on your own can worsen the burden. A consultation with an experienced accident attorney does not add to your financial burdens because it costs you nothing. And if you do decide to work with a Martin & Jones Raleigh personal injury lawyer, you will not incur any fees or costs unless or until your case is either settled to your satisfaction or you recover in court.

## Our Attorneys Also Handle Asbestos & Mesothelioma Claims

Asbestos exposure can lead to various respiratory illnesses including mesothelioma, a painful type of lung cancer. These are debilitating illnesses that can leave you unable to work, unable to take care of your family, and unable to enjoy your day-to-day life. And of course, these illnesses are often fatal. If you're suffering from mesothelioma or another asbestos-related illness, you may be entitled to compensation. You will need to prove that you were exposed to asbestos in order to get the compensation you need. Asbestos cases are incredibly complex, but a [North Carolina asbestos lawyer](#) can help you get a positive result.

## Contact a Raleigh Personal Injury Lawyer at Martin & Jones Today

Even though you think you might have years to file your lawsuit, this does not mean you should delay in contacting a Raleigh personal injury attorney for a free case evaluation. The insurance company representatives are usually building its case and it is in your best interest to speak with a personal injury litigation lawyer and begin the investigation process into your claim as soon as possible. Do not allow evidence to disappear. Memories of police and

witnesses fade over time. Evidence can be lost or altered over time. You are invited to [reach out to us online](#) or by phone at [1-800-662-1234](tel:1-800-662-1234).

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