



# DON'T WRECK **TWICE**

10 Steps to Protect Yourself After a Car Crash

*A free publication by the Law Offices of James Scott Farrin*

## The goal of this booklet is simple.

People just like you are in car wrecks every day. And most people don't really know what to do when it happens. We want to help you know what to do — and what not to do — in order to help protect yourself and your legal rights. Here is a simple list to get started:

### 1 Contact the authorities

In an ideal world, the other driver would always be honest. Unfortunately, integrity for some people ends at their pocketbook. It may be hard to believe, but that nice person at the crash scene who apologized to you may later tell his or her insurance that they did nothing wrong and the crash was really your fault! Without a supporting police investigation, your claim may be lost even before it gets started. Make sure you always contact the police and have them fill out a report on the crash.

### 2 Exchange information

Regardless of the officer's investigation, make sure you get all the contact information for the other driver and his or her insurance carrier. Also, get:

- Their tag number,
- The make and model (and color) of their car,
- Policy number,
- Phone number, and
- Address.

If they won't give you everything on this list, get as much of it as you can.

### 3 Take pictures at the scene

They say a picture is worth a thousand words. Sometimes, it can also be worth a few thousand dollars! Most people have cell phones that have built-in cameras. Use that camera after a crash to document:

- The position of the vehicles,
- The damage to your vehicle,
- The damage to the other vehicle,
- The appearance of the other driver (just take a picture of them), and
- The other driver's license and other pertinent information (like the registration and tags).

## 4 Take pictures at the scene

If anyone saw the crash, make sure you get their name, phone number, and address. You may need it later. An independent witness on your side can make a huge difference in your case.

Make sure the police officer has their contact information, too.

## 5 Review the facts

How well do you remember the road conditions? Was the road busy? What was the speed limit? What other details about the wreck do you remember? Articulate these clearly to the officer and then write down your own notes, too.

No one's memory is perfect, especially with all the adrenaline after a crash, so document everything carefully.

## 6 Get timely medical attention

If the injury is serious enough, you may not have the opportunity to do some of the things listed above. That's okay. Your first priority should always be your health. Whether you go to an emergency room by EMS from the crash site or seek attention elsewhere, like an urgent care or primary care physician office, make sure you get checked out thoroughly as soon as practical. Don't wait too long to see a doctor. Some insurance companies may argue about "gaps in treatment," so see a doctor within a day or two of the crash if you are having ANY problems. The old adage of "better safe than sorry" certainly rings true in this situation.

### **SPECIAL NOTE ABOUT MEDICAL TREATMENT**

If you have health insurance, you should use it. The at-fault insurance company will NOT pay your bills as you go, and the medical offices will seek payment from you if you don't file health insurance. There are many issues involved here. We'll be glad to explain them if we speak with you.

## 7 Notify insurance companies

Even when you are not at fault, you should notify your own insurance company as well as the at-fault insurance company. This should be done within a day or two after the crash. Do not wait for the insurance company to call you. You may have coverages, such as MedPay or UM/UIM, on your own policy that could benefit you without directly affecting your rates.

Also, if there is damage to your vehicle, you'll want to go ahead and file a property damage claim with the at-fault insurance company or your own carrier. But do NOT give a recorded statement to the at-fault insurance company. These statements can sometimes be fishing trips for an adjuster to find a way to minimize or deny your claim. And do not go into detail about your injuries with the at-fault insurance company; simply inform them you are injured and will seek appropriate medical care. Of course, do not sign any sort of release after a crash, either, without having it reviewed by an experienced attorney; you may be signing away your entire case!

## 8 Follow through with appropriate medical care

After your initial visit, it is important to keep up with scheduled medical visits. It can be damaging to your claim to wait months — or even just weeks — before getting follow-up attention if you are injured.

As mentioned earlier, insurance companies may try to argue about "gaps in treatment." Don't give them ammunition to use against you.

## 9 Avoid social media

Many people don't realize that posting about a wreck or injuries on social media (like Facebook, Twitter, or Instagram) may be used against them later. Avoid making any comment about the crash or your injuries on social media. This has become a huge issue in some cases.

*And one last thing...*

# 10

## Speak with an experienced attorney

This booklet has touched on just a few of the issues you should be aware of at the start of your case, but there are many nuanced issues throughout the life of your case, too. The insurance company may have attorneys and adjusters working to save money for the company by trying to pay you less than you may deserve.

The best way to balance the scales is to speak with an experienced attorney as soon as possible. An experienced attorney can explain your rights and help you decide if representation is the right course for your specific case.



STOCK PHOTO

*“Our greatest satisfaction comes from making a difference in the lives of our clients.”*

- James S. Farrin



## *About the Law Offices of James Scott Farrin*

**Our firm was founded in 1997 to try to make sure injured people aren't taken advantage of or bullied. Since then:**

- We have recovered over \$1.2 billion total and helped over 50,000 clients. And counting.<sup>1</sup>
- We recovered over \$125 million total for over 4,500 clients in 2020.<sup>1</sup>
- And these numbers don't include the \$1.25 billion we helped recover against the U.S. government for 18,400 claimants in a historic class action case.<sup>2</sup>

**If you've been injured, please call us for a free case evaluation. We're available 24/7 to take your call at 1.866.900.7078 or visit us on the web at [www.farrin.com](http://www.farrin.com).**

<sup>1</sup>Each case is unique and must be evaluated on its own merits. Prior results do not guarantee a similar outcome.

<sup>2</sup>In re: Black Farmers Discrimination Litigation, the Law Offices of James Scott Farrin led a team of firms to recover \$1.25 billion for African-American farmers from the U.S. government for discrimination.

Cases handled by lawyers who principally practice in our Offices in Durham (Main), Raleigh, Charlotte, Greensboro, NC and Greenville SC. Attorney J. Gabe Talton: 280 South Mangum St., Suite 400, Durham, North Carolina.

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