



5

Biggest **Mistakes**
People Make After
an Accident

JAMES SCOTT FARRIN

Introduction

Many people think it's simpler and quicker to "just go through the insurance company" for potential compensation for their injuries after an accident. Our 20 years of experience indicate that this is often not the case. And making the wrong decision could cost you in the long run.

We created this brochure to help educate you about what goes on behind the scenes of an accident and personal injury claim. Here are the 5 biggest mistakes we have seen well-meaning victims make after an accident.

**Fair warning:
What you will learn may shock you.**

1

Mistake: Taking a **"Wait and See" Approach**

We see it all the time. People want to "wait and see" what the insurance company does first. These are usually clients who trust insurance to do right by them.

Yet, simply by waiting, many of these people end up damaging their case beyond repair — either by not preserving evidence, saying something that's used against them, or inadvertently committing any of the other mistakes in this brochure.

And while the clock is ticking against you, the insurance company will almost certainly be working to limit their losses and pay less.

Sometimes we are able to offer advice on your situation, even if you don't hire us. Please call us for a free case evaluation at 1-800-832-6573.

2 *Mistake: Not Getting Immediate Medical Care*

If you don't seek medical treatment shortly after the injury, our experience shows that the insurance companies will likely use that against you.

They may argue that if you had been really hurt, or seriously hurt, you would have sought medical attention soon afterward. From a medical perspective, minor injuries can often develop into something much worse.

Immediate medical care is not only good for your health, but can protect you if your injuries worsen later on.

3 *Mistake: Not Getting the Right Kind of Follow-up Care*

Insurance companies pay a great deal of attention to the type of follow-up medical treatment injured victims receive.

If follow-up care is inconsistent, ineffective, with the wrong kind of doctors, or if the doctors can't credibly tie your injuries to the incident, you may be headed for real trouble.

Bonus tip: Seek an attorney's advice on what important medical evidence needs to be preserved during this stage to help try to ensure reimbursement.



4

Mistake: Taking Quick Cash or Lowball Offers

“What the insurance companies have done is to reverse the business so that the public at large insures the insurance companies.”

— Legendary Trial Lawyer Gerry Spence,
American Trial Lawyer Hall of Fame

Gerry Spence has never lost a criminal case either as a prosecutor or a defense attorney, and has not lost a civil case since 1969. Neither Gerry Spence nor The Spence Law Firm is affiliated with the Law Offices of James Scott Farrin.

Quick cash offers. Some insurance companies might offer you fast cash up front before all medical treatment is completed. Don't cash that check! If you do, your case is likely over. What if medical issues manifest later, which can happen with any injury? Head injuries and internal injuries can easily become worse over time, especially if misdiagnosed. We have seen fractures and broken bones initially diagnosed as simple sprains. If you cashed the check, the insurance company is likely not obligated to pay for those newly discovered, misdiagnosed, or worsening injuries.

Lowball offers. Sometimes we have seen insurance companies lowball victims, withholding additional money until the victim is so strapped for cash they will take any amount. And by the time many people realize that the insurance company is lowballing them and they contact us for help, it is sometimes too late to try to right the ship.

Most auto insurance companies are for-profit businesses — their profit. That is not wrong — it's just business. The less they pay you, the more they keep in profits. But what some people don't realize is the tactics some insurance companies may use to try to “spin” the facts in their favor so they can keep more of the compensation you may be owed.

Putting your complete trust in the insurance company can potentially hurt your case and leave you vulnerable to long-term health and financial implications.

5

Mistake: Talking With the Insurance Company Without Preparation

The insurance company may record your statements and try to use them to deny your claim.

According to some of the former insurance adjusters at our firm, many adjusters are trained to try to get you to talk about the accident soon after it occurred — while you may be under duress and your recall is a bit unclear, or you are on pain or other medication that may confuse your thoughts. Or before all your injuries may have manifested.

Some of the seemingly benign questions they ask may lead you to answer in a way that could be used against you when negotiating your potential compensation.

“How are you doing today?” may simply be a pleasant way to begin a conversation. Or it could be a tactic to elicit a health status from you. The wrong answer could cause you major setbacks.

They may try to negotiate with you or ask you to sign something that ends your claim. Our experience shows that usually when this happens, the offers are low and the insurers are entrenched in paying a low amount.

Some might also try to convince you that you do not need an attorney. We’ve heard it all — things like, “All they’ll do is take the money and you’ll end up with less” and variations of that theme. The insurance company is not on your side.

Our advice? Talk to an attorney you trust BEFORE talking to the insurance company or signing anything.



DMV.org* urges those injured to
“always” hire an attorney

“...you should always hire a personal injury attorney if you’ve been injured in an accident. Experienced car accident attorneys understand [legal] procedures and are better able to communicate with one another. Plus, the insurance company’s attorney is much less likely to take advantage of someone with legal experience.”

— <https://www.dmv.org/>

*DMV.org is a privately owned website that is not owned or operated by any state government agency.

How We Can Help

We will deal with the insurance company and the paperwork for you. All you have to do is follow your doctor’s orders and heal up as quickly as possible.

We’ll do all the heavy lifting to try to:

- ◆ Prove damages
- ◆ Determine fault
- ◆ Prevent and deflect insurance stalling tactics
- ◆ Investigate claims
- ◆ Secure evidence
- ◆ Negotiate a fair settlement for current and any future expenses

You may have a right to maximum compensation for:

- ◆ Medical and rehabilitation bills
- ◆ Future medical expenses
- ◆ Lost time from work
- ◆ Cost of vehicle repairs
- ◆ Diminished earning capacity due to permanent injuries

Not only do we offer a free case evaluation, but you pay us nothing up front and no attorney’s fee if we don’t recover for you.

Disclaimer: Attorney’s fee calculated on gross recovery, before deduction of any court or other costs that are incurred during the case.



STOCK PHOTO

Don't make these same 5 mistakes we have seen others make, simply because they didn't realize what they were up against.

Talk to us, even if you think it is not necessary. The evaluation is free, and you'll get some clarity on the strength of your case.

1 (800) 832-6573

www.farrin.com

*Cases handled by lawyers who principally practice in our Durham (Main), Raleigh, Charlotte, Greensboro, NC and Greenville, SC offices.
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