The Timeline of a Car Crash Claim

A car accident claim moves through stages that can take months or longer. The vehicle damage part often resolves within weeks, while the injury claim usually waits until treatment has run its course. A car accident lawyer can explain where a particular claim stands, though every claim is different.

The first days

Medical care comes first, even when injuries seem minor at the scene, and the records made that day often become important evidence. Responding officers usually prepare a crash report, and the report number is used to request a copy. Most policies require prompt notice of a crash to the policyholder's own insurer, even when the other driver caused it. Photos of the scene, the cars and any visible injuries are easiest to get early, and dashcam files should be saved before they are overwritten.

The first weeks

The car is either repaired or declared a total loss, and the insurer pays for repairs or the actual cash value. Diminished value may be claimed in some states. The other driver's adjuster may request a recorded statement *car accident lawyer* or make an early offer. Many people consult a car accident attorney at this point, before a release is signed. A preservation letter can ask the other driver or nearby businesses to keep video and event data recorder (EDR) data.

Medical treatment and the demand

During treatment, the Car Accident Lawyers Wiki medical records and bills are collected, along with proof of lost wages. Many claims are not valued until the injured person reaches maximum medical improvement, the point when doctors can describe the long-term outlook. A car accident lawyer then prepares a demand package for the insurer containing the records and bills, along with a summary of damages. Some states regulate time-limited settlement demands by statute.

Settling before treatment ends

A release usually ends the claim for good, including any future medical costs tied to the crash. If a doctor expects surgery or long-term care, those costs are usually estimated before a demand is made. The treating doctor's written opinion can document them, and serious cases sometimes use a life care plan. Settling too early can leave those costs unpaid, while waiting too long risks missing the filing deadline.

If the claim does not settle

The insurer may accept the demand, reject it or make a counteroffer. If the claim does not resolve, the next step is usually a lawsuit, which must be filed before the statute of limitations expires. Each state sets its own deadline, and claims involving a government agency may require written notice much sooner. In discovery, the parties exchange written interrogatories and documents and take depositions, and the defense may ask for an independent medical examination. Many courts order mediation before trial, and most cases settle rather than reach a verdict.

When the claim resolves

Settling a claim usually means signing a release. Before money is distributed, liens from health plans, Medicare or Medicaid may need to be resolved, and in many states a settlement for a minor requires court approval. An automobile accident lawyer typically provides a written closing statement that shows the fee, the costs and the net recovery. This is general information and not legal advice, and it cannot predict how long a particular claim will take.