

DO YOU NEED AN ATTORNEY FOR YOUR ACCIDENT CASE?

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You do not need to hire an attorney for every small auto accident case. What is a small auto accident case? This is hard to say because every case is so different. It depends on the damage to the car, the type of medical treatment, the length of treatment and even the insurance company on the other side. Also, there is no permanent injury. In a small case, the medical bills are not more than a few thousand dollars. The injury is not considered permanent. These are the cases you can handle yourself. They can often be settled without hiring an attorney.

I explain to clients that it may not in their best interest to use an attorney for some small cases because the recovery may not be substantial enough to justify hiring an attorney. In other words, it is not cost effective. It directly affects the net amount they will eventually receive. You may be left with very little after attorney's fees are paid. In these types of cases, you may have just as good a chance at recovering a settlement near or equal to one that the attorney may negotiate for you. Without an attorney you may be better off. You may end up with more money in your pocket.

You must feel comfortable working the case on your own. You will gather evidence and records to support your claim. You must also have the time to gather the records and deal with the insurance adjuster. However, the larger the case the more you should consider hiring an attorney. The greater the risk is the more likely you will benefit from hiring an attorney. In a bigger case the odds that you will likely get a bigger settlement for your injuries with the assistance of a lawyer than without (even after subtracting the lawyer's fee). Why? Attorney's have the knowledge on how to effectively deal with the insurance company and the legal authority to go to Court. They know how each different insurance company operates. They will also have a relationship and a track record with many insurance adjusters. This costs the insurance company money when they have to hire an attorney. An experienced personal injury attorney should have a better understanding of what your case is worth. This means that you have a better chance of not settling for too little money. The attorney can more effectively communicate the value of the claim to the insurance adjuster. Unless you're in the business of settling and litigating injury cases you may be at a serious disadvantage when dealing with a seasoned insurance claims representative if you don't have an attorney. Most insurance companies now use computer programs for putting a value on your claim. Knowing how these programs work is also important to obtaining a fair settlement.

Before you decide on whether to hire an attorney...

A 1999 study found that insurance companies pay higher settlements to injured people who use an attorney than those who do not. In 1999 the insurance industry performed a study to find out if people who had accident claims received more money in settlement by using an attorney than those people who settled on their own. The study was performed by the Insurance Research Council, a non-profit organization that is supported by leading property and casualty insurance companies across the United States. The mission of the IRC is to advance the insurance industry's view on matters crucial to insurance companies. The IRC found that people who used an attorney received on average 3 ½ times more money in settlement than those individuals who settled on their own. Often times, accident victims are told by the insurance adjustor that they shouldn't hire a lawyer because they will receive less money in settlement. This study shows that this simply is not true.

You are in the best position to evaluate your own case and circumstances. If you have any questions contact an attorney who handles auto accident cases. Most attorneys will give you an idea as to what range of settlement is appropriate for a case. You will then be in position to make the decision that is best for you.