

GEORGIA

PEDESTRIAN ACCIDENT GUIDE

*What To Do If You're Seriously
Injured In A Pedenstrian
Accident*



PRINCENTHAL, MAY & WILSON
— TRIAL LAWYERS —



When walking anywhere, there is always the risk that you could get hurt. If you are hit by a vehicle and severely injured, you may be eligible for a pedestrian accident claim. Your life may have been truly changed after your pedestrian accident. Often, these incidents result in a significant amount of medical bills, missed work, and lost wages, not to mention that victims are often left unable to enjoy life like they used to. Our Georgia pedestrian accident attorney is here to help you get the best possible result in your case. After you read more about your pedestrian accident case, please call our office to set up your initial case review.

How Georgia Pedestrian Accident Compensation Works

Georgia follows the rules of comparative negligence, meaning that you can receive compensation even if you have been deemed partially at fault for the accident that injured you. During settlement negotiations with the insurance company, your responsibility for the accident will likely be debated. Someone may be considered at fault for the accident if they were crossing at somewhere other than a crosswalk, walked across a crosswalk when there was a green light for cars, or took other actions that could be considered reckless, careless, or negligent. The way the reduction of compensation work is as follows: If someone is deemed to be 20 percent at fault for the accident and is awarded \$100,000 in damages and injuries, they will be able to collect \$80,000 of that award. Our goal is to protect your right to full and fair compensation.

How to Get a Full Compensation Award

If you want to see the fullest and fairest award from the liable party's insurance company, there are a few things that you need to be aware of. First, you need to seek immediate medical attention. Your injuries may be extensive and severe. You need to get a doctor to look at them right away and start treatment on them so that you can get on the road to recovery. It is important that you do this because your injuries could get worse if you do not. Also, if you choose not to seek immediate medical attention, you could be at risk of the insurance company trying to reduce or deny your pedestrian accident claim, which is something we aim to avoid. Your health is important to us and so is getting the compensation that you deserve.

The second thing that you need to be aware of is what should happen at the scene of the accident. If you are whisked away in an ambulance, you can call on someone else to help you collect evidence. That might be a friend, family member, or Georgia pedestrian accident attorney. When there is an

accident, there is typically a lot of evidence that, if gone unchecked, may very well disappear. You, or someone who is helping you, should take photos and videos of everything on the scene. You can take contact information from the witnesses so that you can get their testimony at a later date, as well as the insurance information from the driver involved. An experienced attorney will be able to gather and protect even more evidence from the scene of the accident, such as nearby security footage that may have shown the accident. All of this makes a strong case and helps you get a full compensation award.

Something to keep in mind while you are at the scene of the accident is to never incriminate yourself. There is a chance that the police who show up on the scene or the driver who hit you will talk to you about the accident after it happened. You should never say it was your fault. Even if, in the moment, you thought it was your fault, it may very well turn out to have been the driver's fault. You cannot definitely know if you caused the accident on the scene; in the interest of protecting your right to full compensation, you should never apologize for causing the accident. Wait for your attorney to do a full investigation of the accident.

Lastly, when you are seeking full compensation, it is critically important to hire an experienced Georgia pedestrian accident attorney right away so that they can get right to work for you. Georgia allows victims of pedestrian accidents two years from the date of their accident to bring their claim. If you miss this deadline, you forfeit your right to compensation. The sooner you get to an attorney, the more likely you have a chance to get full and fair compensation. These cases are difficult and require as much time as you can give your attorney, so be sure to contact one right away.

Frequently Asked Pedestrian Accident Questions

What Are Common Mistakes After a Pedestrian Accident?

If you've been seriously injured in a pedestrian accident, you need quickly hire the right attorney to handle your case. By not doing so, you could find yourself losing certain legal rights you might have had.

Pedestrian accidents require immediate investigation into possible negligent parties, such as a negligent driver that injured the pedestrian, a designer of a roadway, or even a negligent manufacturer of the automobile that contributed some negligence. Don't take any chances by not hiring an attorney who has experience with pedestrian accidents.

How Do I Hire a Pedestrian Accident Attorney?

Oftentimes, a pedestrian accident results in very serious injuries, especially when pedestrian accidents are caused by drivers. If you have been the victim of a pedestrian accident, you need an attorney who is

experienced in litigation and knows how to try a case, select a jury and knows the rules of evidence of civil procedure in the state of Georgia through and through.

Pedestrian accidents also can be a result of other factors, including negligent road design, which can further complicate a case. If you start getting into road design or product liability, find an attorney who knows how to find the right experts to move your case forward.

What If I Was a Hit-and-Run Pedestrian Accident?

If you've been involved in a hit-and-run by a driver, you may not be able to identify who that driver is, if the authorities cannot find them. These days, with technology, if you can get a license plate number, it's a lot easier to quickly obtain that information, and you will then have a punitive damages claim, in all likelihood, in addition to the liability claim. However, there could be limits on the insurance coverage, where they exclude punitive damages and they may not be responsible for paying punitive damages under the policy. It takes some experience to navigate those issues.

If you're unable to identify the driver in a hit-and-run, then you have to start looking for alternative sources to make a recovery from, which could be complicated and require consulting with an attorney.

How Long Will a Pedestrian Accident Case Take?

When you experience a pedestrian accident, you're usually suffering a serious injury. Since those cases result in major damages and can be complicated, you have to start looking at less obvious parties that may have been negligent in injuring you. Perhaps the designer of a roadway might be a party against whom a case should be brought. Sometimes there's product liability issues involved. If your case involves this type of complexity, it is going to take a lot longer to be able to bring your case to resolution. It may also delay the determination of the value of your case, or what kind of damages we're actually going to be able to collect for you.

If you've been seriously injured, it's almost certain that one liability insurance policy is not going to have sufficient policy limits to make you whole from your injuries. In these scenarios, you've got to look for those other sources to collect from, a process that is expedited by hiring an attorney.

What If I'm Partially At Fault for a Pedestrian Accident?

Sometimes the fault of the parties for a pedestrian accident is in dispute. As a contrast, in two-car collisions, there are rules of the road that drivers are expected to go by. There may not be such clear-cut rules in a situation involving a pedestrian accident.



Some of the rules of the road do apply to pedestrian-versus-auto accidents. In some cases, the insurance carriers and their insureds will try to argue that the pedestrian was at fault in some way. They could allege that you weren't in a crosswalk, as an example, or weren't otherwise exercising due care. You need to understand that if you've got a serious injury case, the insurance carrier will do anything to reduce their own exposure and limit your damages down the line.

Even if you have been at fault partially in an accident, this does not mean that you cannot recover on your case, especially if the injuries are serious. Don't think that you're barred from bringing a claim because you had some responsibility. Consult with us today to discuss how we can navigate this scenario.

Should I Speak to an Insurance Adjuster After a Pedestrian Accident?

One defining characteristic of pedestrian cases is that the injuries to the pedestrian are normally very serious, or sometimes even fatal. When you have major issues where you need to be able to provide for yourself and your family, perhaps the rest of your life, you don't want to take any chances by giving a recorded statement. Fault is often under dispute in pedestrian cases. If there are issues as to whether you, as the pedestrian, may have been at fault, you may implicate yourself unintentionally in a recorded statement.

It's very easy to make a statement which may minimize your injuries, when the reality is that you may have very serious long-term impairment. You don't know it yet if you're giving that recorded statement early in the case. When you give that statement, you're making an admission to the insurance carrier, which they can then use later against you to try to attack your credibility with respect to fault or injuries.

Call Our Georgia Pedestrian Accident Attorney Today for a Free Consultation

When you hire our Georgia pedestrian accident attorney, you give yourself the best chance of receiving full and fair compensation for your damages and injuries. We are here to help you. Call today to see what we can do for you.

About the Author

Princenthal & May is a law firm dedicated to helping people who have been seriously injured or have lost a loved one due to the negligence of others or workplace accident. Whether your case arises out of a car wreck, trucking accident, slip and fall, defective product, or dangerous premises, our goal is

the same – maximize your recovery so that you can best care for yourself and your family during your time of need. While we are often able to resolve cases early in the process, we do not hesitate to go to trial in order to obtain the maximum recovery possible for you and your family.



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