

GEORGIA

PERSONAL
INJURY
GUIDE

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



PRINCENTHAL, MAY & WILSON
— TRIAL LAWYERS —



Personal injury is a term that can mean a lot of things. There are many different types of accidents that can fall under the category of personal injury. We handle a lot of these cases, in many different categories, successfully. We understand that, if you have found your way to this page, you most likely have been seriously injured in an accident that might not have been your fault. It is terribly frustrating to get hurt, but it can be even more frustrating to have to deal with injuries when this whole event could have been avoided. If your injuries were caused by someone else acting carelessly or negligently,

you may be eligible to bring a personal injury case against that liable party and receive compensation for your injuries and damages. After you read about your case a little bit, please call our office to schedule a free initial consultation.

Georgia Personal Injury Statutes of Limitation

“Statute of limitations” is a term that you may not be familiar with. It boils down to meaning the amount of time in which you are allowed to file a personal injury claim. Every state has a different statute of limitations. Georgia allows victims of personal injury two years from the date of their accident to file a claim. While this may seem like it is a long time, two years in terms of a lawsuit can fly by. There is a lot to be done and you want to give your attorney as much time as possible to build a strong case for you. You also should not wait to talk to a lawyer because there is typically time-sensitive material in your case that needs to be as soon as possible to be of use. That includes witness testimony and evidence collection/preservation.

How Personal Injury Compensation Works

Georgia follows the rules of modified comparative negligence. This defines how much of your compensation award you are permitted to collect, if any. When you are awarded compensation, there is a dollar amount determined based on your injuries and damages. Then there is a determination made about your role in the accident. If, for example, your personal injury case is a car accident and you were hit by someone who was clearly in the wrong but maybe you were speeding a little, you may be deemed to be 10 percent at fault. Let’s say your award came out to be \$10,000 for your injuries and damages. Your award would be reduced to \$9,000 to account for your fault in the accident. If you were somehow deemed to be mostly at fault for your personal injury, then you would be barred from receiving compensation entirely. It is something we actively work to avoid happening to you.

First Step for a Successful Personal Injury Case

To have a successful personal injury case, you need to take care of your health first and foremost. There is no injury case if you are not getting treatment. We use your medical records as a piece of evidence in a way. Your doctor will be able to show us the severity of your injury which helps us determine how much your case will be worth. They also can tell us how you got your injuries so that we can show the insurance company that their insured was in fact liable for your injuries. You getting immediate medical treatment ensures two things: you will be on the track to getting better and we will have what we need to prove your case.

Most Common Types of Personal Injury Cases

We handle a wide variety of personal injury cases for injured victims in Georgia, as we mentioned. These cases include:

- Bicycle accidents
- Boating accidents
- Car accidents
- Construction accidents
- Dog bites
- Medical malpractice
- Motorcycle accidents
- Pedestrian accidents
- Slip and falls
- Truck accidents

We strongly encourage you to reach out to our Georgia personal injury lawyer today if you have suffered from injuries due to any of these accidents.

Talking to the Insurance Company for the Liable Party

The absolute worst thing you can do for your case is talk to the liable party's insurance company. It truly will not help your case, no matter how friendly their representatives seem. They have one goal and that is to minimize how much money they owe you. It is even better if they can throw out your case altogether. They will try to get a recorded statement from you where they will ask you questions that will force you to answer in a way that hurts your case and saves them money. The best thing you can do is hand over all communications to your lawyer so that they can protect you from the insurance company.

Frequently Asked Personal Injury Questions

What Should I Know About Hiring a Personal Injury Attorney?

When you're looking for a personal injury attorney, you want to consider the nature of that attorney's experience. Is this attorney somebody who's been practicing for a few years, or someone who's been practicing for several years? Is this an attorney who settles a bunch of cases, or is this an attorney who's going to be with you from the beginning of the case, all the way to the end, in the trenches? Is this an attorney who gets to know you, who learns about you, who learns about your family, and knows the ins and outs of your case? If you want an experienced attorney who's going to be standing by you from the first time you call to the time that the ink on the settlement check dries, that is our firm – Princenthal, May & Wilson.

If you have any questions about how to hire a personal injury attorney or general questions about our firm, give us a call. We're here to help.

Should I Accept the First Settlement Offer?

People often say that there are two certainties in life – death and taxes. If there's a third one, it's that if an insurance company offers you an amount of money, their first offer is never their best offer. They're always going to have more. The question is, how much more do they have? Evaluating what your case is worth takes expertise. That's where an experienced attorney comes in. If you have an offer that's on the table from an insurance company and are unsure of what your case is worth, give us a call. We'd love to talk to you about it.

How Do I Avoid Trial for a Personal Injury Case?

If you are injured and thinking about bringing a personal injury case, you may be wondering how you can avoid going to trial, if at all possible. Not every case goes to trial, and there are ways that you can avoid going to trial.

Probably the best way to avoid going to trial is to prepare your case from the very beginning as if it's going to trial. You want to:

- Gather the right evidence;
- Talk to the right witnesses;
- Collect videos and photos;
- Get affidavits;
- Take depositions;
- And, preserve evidence.



Most importantly, work with an attorney who knows what they're doing. Submitting a settlement demand that has been well-prepared to an insurance company or an at-fault defendant is the best way you can avoid a trial.

If you've got any questions about these issues or any other personal injury-related matter in Georgia, please give us a call.

How Long Will a Personal Injury Case Take?

One of the primary questions we get asked as attorneys is how long it will take to settle a personal injury case. The honest answer is there is no way to tell. Each case is different. It can take as little as a couple of months, or it can take a few years. It depends on any number of criteria, including how injured you are, the witnesses involved, and how hard the insurance company wants to fight.

There's no right or wrong answer in terms of how long it's going to take; when you go with our firm, however, you can rest assured that we're going to be with you from the beginning of the process to the end, no matter how long it takes. When all is said and done, you're going to be satisfied that you gave us a call.

If you have any questions about this or any other personal injury matter, please call us.

Can I Have a Personal Injury Claim with Low Medical Bills?

A lot of times, people have questions about whether they have a case when medical bills are low. The short answer to that is, yes, you have a case. There is no minimum threshold you have to meet in terms of the amount of the medical bill or the number of treatment visits to have a case in Georgia. If you were injured as the result of someone's negligence or intentional conduct, and you've been treated as a result or intend to get treated, you have a case. Don't assume that because you're not severely injured or catastrophically injured that somehow you don't meet a threshold to bring a claim in Georgia.

Give us a call. Let us know what information you have related to your case, what treatment you've gotten, what treatment you intend to get, and we'll let you know how to proceed.

What If I Have Preexisting Injuries?

What is a preexisting condition and how will it impact your case? – Give us a call. We can explain exactly what that means and, more importantly, unpack whether it impacts your case. It may, but the good news is, Georgia law states

that the person who injured you can be responsible for aggravating a preexisting condition. Don't think just because you've had a prior injury to a particular body part, that you don't have a case. Don't let an insurance company or an at-fault defendant tell you otherwise.

If you have any questions about your preexisting condition – how it's made worse, how it affects your personal injury case in Georgia – give us a call. Don't make assumptions that are going to preclude you from getting what you're otherwise entitled to.

Can I Recover Emotional Damages in a Personal Injury Claim?

People often call our firm with questions about damages. While damages for bills or lost wages are clear cut, emotional damages can be more nuanced. Can you recover damages for the emotional impact that an incident has had on you? Yes, you can. That's part of what you call pain and suffering. Has this incident taken an emotional toll on you? Are you sad? Are you upset? Are you depressed because you can't do the things that you used to do? You have damages that you can recover in Georgia in a personal injury case.

If you have any questions about your emotional damages or any other damages that you believe are a direct result of someone else's negligence, please give us a call; we'd love to speak with you.

Can We Settle a Personal Injury Case Before Trial?

When you have a personal injury case, especially here in Georgia, one of the things that you're concerned about is what it's worth, how long it's going last and whether or not you are going to have to go to trial. The odds of going to trial are probably anywhere from one to two percent. Don't assume that your case is going to go to trial, or that you're going to have to go in front of a judge or a jury. Don't let anxiety about court potentially dissuade you from bringing a case or even calling an attorney. If you have a personal injury case here in Georgia that you want to discuss, give us a call; we'll be happy to talk to you about all aspects of the case, especially whether or not your case is going to end up at trial.

Contact Our Georgia Personal Injury Lawyer Today

If you have been seriously injured in an accident, please do not hesitate to call our Georgia personal injury lawyer today to get the most compensation possible. We can set up an initial, free consultation with you to go over the details of your case and show you the best way to get the results you deserve.

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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