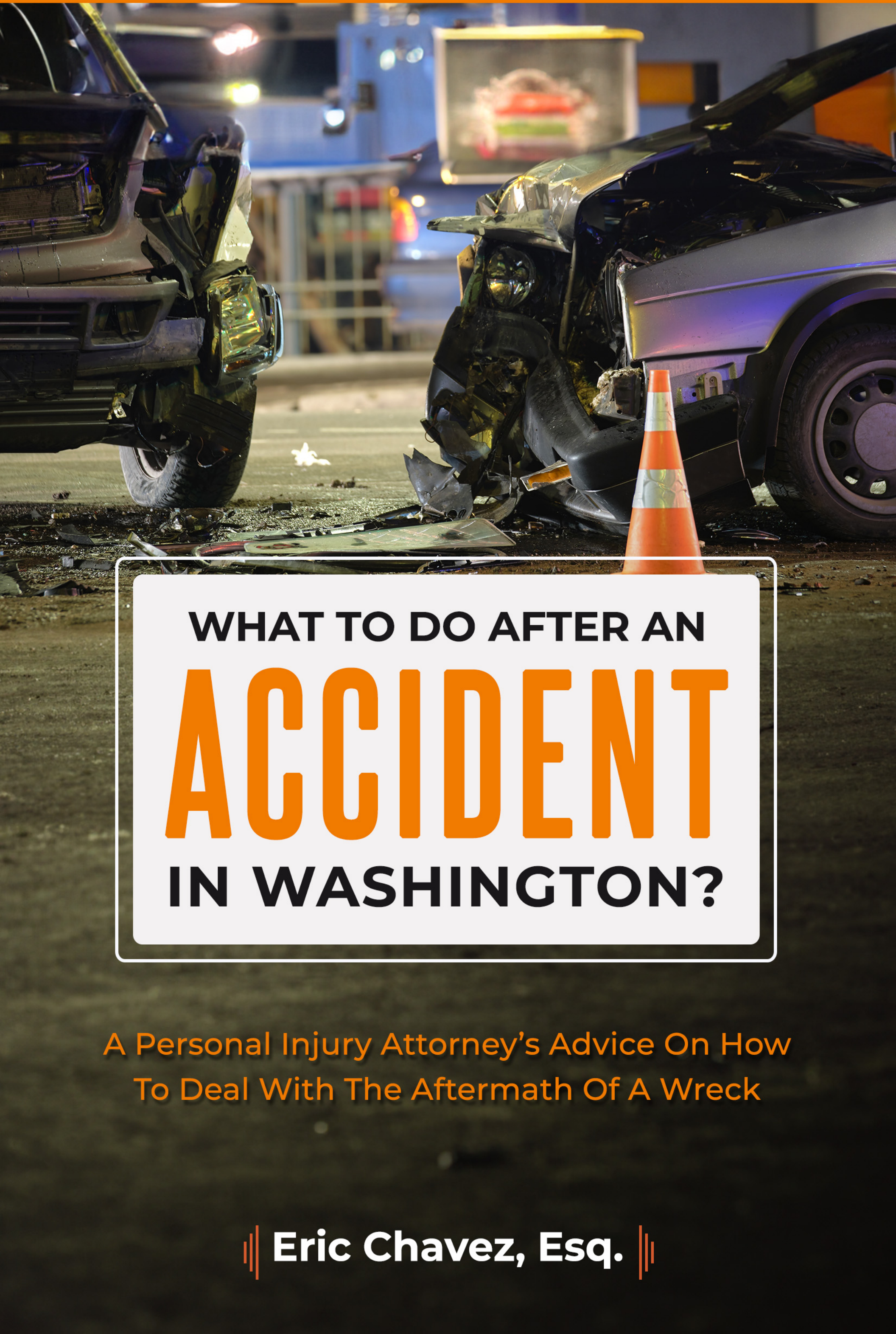

WHAT TO DO AFTER AN ACCIDENT IN WASHINGTON?

A Personal Injury Attorney's Advice On How To Deal With The Aftermath Of A Wreck

Eric Chavez, Esq.

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PREFACE

No one expects to be involved in a car crash. Injury victims are seldom prepared for the significant decisions that have to be made regarding their medical care, property damage claims, and insurance. These decisions can determine the outcome of injury claims, lawsuits, and ultimately compensation for the injury victim. Often, these decisions have to be made while the injury victim is still suffering from the shock of the crash. Such situations lead to stress and anxiety.

This book is written for injury victims who find themselves in this situation after a crash. This book is meant to be a resource for injury victims to provide an overview of the injury claim process after a crash. It is not meant to be a substitute for the legal advice of a skilled trial attorney. Rather, this book is intended to be a resource to educate and empower injury victims to make decisions that will hopefully, help them to obtain justice and compensation for their injuries.

DEDICATION

No one enters the legal profession knowing everything there is to know about the practice of law. This book is dedicated to the friends, colleagues, and mentors, past and present, who imparted upon me their knowledge, skill, and commitment to helping injury victims obtain justice.

DISCLAIMER

This publication is intended to be used for educational purposes only. No legal advice is being given, and no Attorney-Client relationship is intended to be created by reading this material. The author assumes no liability for any errors or omissions or for how this book or its contents are used or interpreted, or for any consequences resulting directly or indirectly from the use of this book. For legal or any other advice, please consult an experienced attorney or the appropriate expert, who is aware of the specific facts of your case and is knowledgeable in the law in your jurisdiction.

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TESTIMONIALS

"Attorney Eric Chavez is wise, kind, respectful, thoughtful, knowledgeable, understanding, communicative, trustworthy, honest and he truly listens! His style, expertise and ability to explain so many aspects of the law and my case made me a better person- learning from him! I would recommend Attorney Eric Chavez to my friends and family and anyone else in a moment! His expertise, experience, excellent communication style, follow-up, organizational skills and respect are in everything he does for his clients. He felt like family to me! He truly is a gifted, knowledgeable and compassionate attorney and human being!"

– Suzanne O.

****

"Great help. Gave me great advice and he didn't need too, I was very impressed. Thank you for all your help sir."

– A Satisfied Client

****

"Eric was a life saver for me when nobody else would even take a look at my case! He not only took it. He took it to the highest level possible and he won my case against a large illegal medical insurance company. And he did it in record time. I'm keeping his information on my desk for any future issues that may arise. Great job! Great attorney! Great results. Thank you for your help."

– Marty B.

****

"Eric and Axion were amazing! I couldn't have asked for a smoother resolution to my auto-claim (despite my insurance dragging their feet at times)! Eric's communication throughout the process was top notch and most importantly, he managed to get a MAXIMUM settlement amount without even filing a suit! 10/10 will be calling Axion again the next time I need representation!"

– Oliver

****

"Eric Chavez is an awesome lawyer! Every difficult step of the legal process was made easier having Eric on our side, his compassion and understanding was genuine and helped us immensely. The level of professionalism and expertise Eric brought to the table won our case for us and I highly recommend Eric to anyone facing legal issues. Thanks Eric!"

– Dean O.

****

"Mr Eric Chavez is a wonderful and knowledgeable attorney. He represented me after I had a car accident and handled my claim. He was easy to reach, good communication and got me a great settlement. Couldn't have done it by myself. Would use his firm again."

– Hezron N.

****

"Professional lawyer. I spoke to Eric on the phone and found that he has extreme knowledge. I consulted about my case which helped me make an informed decision."

– A Satisfied Client

****

"My experience with Eric was amazing. Eric was very professional and kept me informed of what was going on with my case. A tremendous help on decisions that were pertaining to my case. Overall a pleasure to work with."

– Chris W.

****

"Great team of lawyers. Eric and his team were very cooperative and professional. They handled my case very well and explained me all the details well. Easily available and quick to respond back. Thank you for all the help!"

– A Satisfied Client

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About The Author

Background And Experience

I went to law school to help people, and I spent the first part of my career defending insurance companies and corporations. Through that, I learned the ropes of litigation and how to try cases, and it gave me the opportunity to take cases to trial early on in my career. It provided invaluable insight into how insurance companies, and defense attorneys in general, view injury cases and decide whether to fight or pay.

I started AXION Law Group and switched to representing injury victims because I grew tired of seeing people who have been involved in accidents and hurt by others being taken advantage of by insurance companies. Ultimately, a lot of the time, they would walk away, leaving money on the table. Through my work at AXION, I use my experience to successfully take on some of the largest insurance companies in the world.

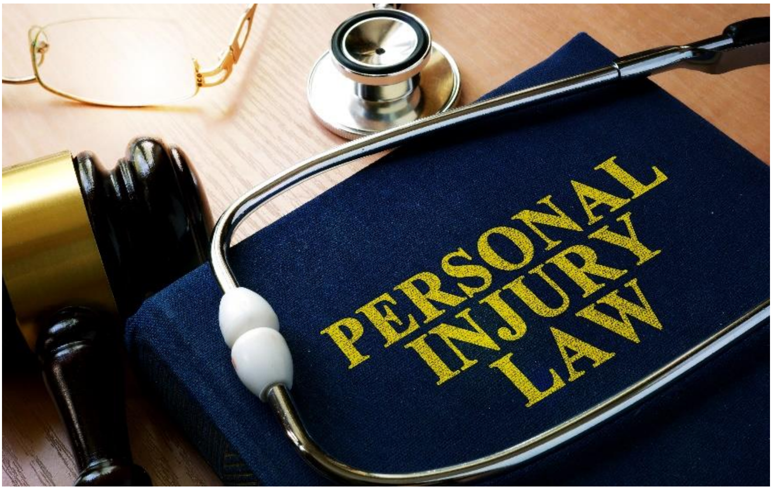
Why This Book Is For You

This book is for anyone who has been hurt by the negligence of someone else and feels lost or overwhelmed by our legal system. It can be daunting; there's a lot to know, especially if you're not a lawyer and you have never been through the process before.

I hope that this brief guide will provide reassurance that there are some highly skilled, compassionate attorneys out there who can guide you through the claim or litigation process and get you to a point where you can maximize your settlement amount.

CHAPTER 1

MISCONCEPTIONS ABOUT PERSONAL INJURY CLAIMS



Addressing Common Misconceptions For Washington Personal Injury Claimants

Many individuals in Washington who suffer personal injuries carry certain misconceptions regarding their situation. In this chapter, we'll cover the top four most common misconceptions that are heard at Axiom Law Group every day…

1. One prevalent misunderstanding is the assumption that pursuing a personal injury claim always leads to court litigation. However, the truth is that most claims get resolved even before a lawsuit becomes necessary. This is due to the fact that:

- Litigation is costly and risky for insurance companies.
- Most insurance providers prefer settling cases that they are likely to lose in court to save on lawsuit defense costs.

2. Another misbelief is that you cannot afford a personal injury attorney. But at law firms like AXION Law Group, we handle injury cases on a contingency basis. In essence:

- If we don't recover any money for you, you don't owe us any attorney fees.
- You pay no fee up front, reducing any extra financial burden on you after an injury.

3. There is a common fallacy that you don't need a lawyer because the insurance company will offer a fair settlement. However, remember that:

- Insurance company settlement offers are made based on the available information, including whether you are represented by a prepared lawyer.
- Without a skilled attorney, insurance companies may lowball you knowing you are unlikely to take the case to trial.
- Many insurance companies will not offer fair settlement value until after a lawsuit is filed, making it crucial to hire an experienced trial attorney.

4. Lastly, some may believe that without serious injuries, filing an injury claim is not worth it. The truth is that:

- Under the law, injury victims are entitled to compensation, regardless of the severity of their injuries.
- Insurance companies often try to offer low settlements after minor incidents, making it essential to consult with an experienced lawyer before proceeding with a claim.

Understanding The Timeframe For Filing A Personal Injury Claim In Washington

In Washington, the statute of limitations for negligence-related injury claims is three years from the date of the injury. This means that if you don't file the lawsuit within this three-year period, you might lose the right to sue the negligent party. However, please note:

- There is a variance known as the discovery rule, which posits that the three-year period doesn't start until you become aware of the injuries and should realize that you have a valid claim.
- You should contact a lawyer immediately upon recognizing your injuries and potential for a case, to ensure that the necessary evidence is not lost or destroyed while you undergo medical treatment and recovery.

CHAPTER 2

INITIATING A PERSONAL INJURY CLAIM IN WASHINGTON

Initiating The Personal Injury Claim Process: Key Steps To Follow

Ideally, the personal injury claim process commences immediately following the incident. If feasible, dial 911 or have someone at the scene do so. Prompt communication with emergency services is always beneficial to a claim later on, as it prompts the police to investigate the scene and file a report, strengthening your evidence.

After emergency services have been requested, the first step should always be seeking prompt medical attention, prioritizing your health above all. When getting medical attention, it is crucial to:

- Report all your symptoms, irrespective of their severity, ensuring the medical professionals treating you fully comprehend your condition.
- Get all your injuries treated and begin establishing a medical record for your case from your first treatment session.

These records are pivotal to your case, as they tell the story of your injuries and the treatment process, setting up your claim for settlement. Moreover, consistency in following up on treatment and discharge instructions is vital.

Once you've undergone initial medical treatment, it's best to contact an attorney who you can trust to help you navigate the next steps in the process.

Your attorney will explain what the road ahead might look like and begin working to gather evidence – both from the accident scene and witnesses. This is one reason why contacting an attorney early on is so beneficial, because they can obtain statements from witnesses before their memories fade or before potential insurance company investigators start their own counter-investigation.

Additionally, it's particularly crucial to consult an attorney before providing any statements to insurance company representatives. Remember, any information given to the insurance company can be used against you if your case goes to trial. So it's best to avoid saying anything potentially harmful to your case and allow your attorney to guide you through this process.

Essential Information And Evidence Required To Build A Robust Personal Injury Case

A personal injury claim that is well-prepared from the onset often yields the best settlements. To prepare a case, an adept attorney seeks information such as:

- Names of all parties involved in the incident.
- Names of all the witnesses.
- Details about the at-fault party's insurance, including the name of the insurance company and their policy number.
- Your own insurance details, especially if the at-fault party lacks insurance.
- Knowledge about your uninsured or underinsured motorist coverage to initiate a claim process for your injuries and damages.

Furthermore, the attorney will also need to understand the injury victim's prior treatments, medical history, and pre-existing injuries, which allows them to:

- Anticipate what the insurance company and their defense attorneys might use against you.
- Develop strategies to mitigate potential arguments and possibly exclude them if they arise at trial.

The Impact Of Partial Fault On Personal Injury Claims In Washington

Contrary to the common misbelief, even if you are partially at fault for an incident, you can still file a personal injury claim in Washington. Being a comparative fault state, Washington allows you to bring a claim even if you share some responsibility for the accident. However, your damages will be reduced proportionately to your fault percentage. For example, if you are 40% at fault with damages of $100,000, your award would be reduced by 40%, yielding a total of $60,000.

Determining fault depends on evidence like witness statements and photographic proof. Insurers often base their initial fault determinations on minimal investigations, potentially leading to erroneous conclusions. In disputed liability cases, your attorney plays a critical role in offering a more nuanced perspective of the incident. Experts like accident reconstruction professionals can help establish the actual degree of your fault, which can significantly influence the insurer's initial liability impressions and the settlement.

Communicating With The Other Party At The Accident Scene

While it's acceptable to communicate with the other party at the scene, you should never admit fault or discuss who was responsible. Anything you say could be used against you at trial and communicated to the insurance company by the other driver or the at-fault party. Therefore:

- Offer assistance if needed but avoid discussing fault.
- Remember that statements made at the scene could negatively impact your case evaluation and potentially reduce your settlement.

CHAPTER 3

THE DIFFERENT TYPES OF PERSONAL INJURY CLAIMS IN WASHINGTON

Types Of Claims Stemming From Personal Injury Incidents Or Accidents

Several types of claims can arise from incidents or accidents leading to personal injury, particularly in the context of automobile or trucking accidents.

1. **Property Damage:** This refers to the necessary repair costs to restore your vehicle to its pre-

accident condition. However, it's important to note that if the repair costs exceed the car's market value, the compensation is capped at the market value. For instance, if your older car's repair costs amount to $10,000 but its market value is only $4,000, the compensation will be limited to the latter amount. While this might seem unfair, it's the current legal stipulation.

2. **Personal Injury Claim:** A personal injury claim provides compensation for the injuries sustained during the accident. This claim includes several components:

- **Past and Future Medical Expenses:** This includes the cost of medical treatment from the time of the accident until the settlement or trial and the estimated cost of any future medical treatments for your injuries.
- **Past and Future Wage Loss:** If your injuries prevent you from working, you're entitled to compensation for the wages you've lost during recovery and potential future earnings if you're permanently disabled.

- **Compensation for Permanent Impairment:** If your injuries result in permanent impairments such as limb loss or partial paralysis, you're entitled to compensation for the loss of use of that body part.
- **Pain, Suffering, and Inconvenience (General Damages):** This broad category of compensation is designed to cover the pain and suffering incurred due to your injuries, the loss of enjoyment in life while recovering, and any future pain or suffering expected. Additionally, it takes into account any inconvenience you've experienced, such as time spent on medical appointments or home exercises, due to the injury someone else caused.

Medical Coverage During The Case And Before Settlement

Several options exist to cover your medical bills while your case is ongoing and awaiting settlement.

1. **Personal Injury Protection (PIP):** If you're involved in an automobile accident and you have Personal Injury Protection or Medical Payments Coverage, this is typically part of your auto

insurance policy. PIP covers your medical expenses up to a certain limit that you set when purchasing the policy. The minimum in Washington is usually $10,000, although it can sometimes go up to $35,000. This coverage applies to reasonable medical treatment needed because of injuries resulting from the accident.

2. **Private Medical Insurance:** Once you've reached your PIP limit (say, $10,000), any additional medical expenses become your responsibility. If you have private medical insurance, whether it's an HMO or PPO, you can use this coverage to fund your ongoing treatment.
3. **Medicare or Medicaid:** If you're enrolled in Medicare or Medicaid, these programs can also be used to cover your medical expenses.
4. **Arrangements with Providers:** If you lack insurance or the ability to pay deductibles or out-of-pocket costs, some healthcare providers may work with you to establish payment plans or agree to defer billing until you receive a settlement from your case.

It's crucial to note that all medical expenses related to your injury treatment must be repaid from your settlement. Insurance companies expect reimbursement for any costs they covered. In some instances, it might be possible to negotiate a reduction in repayment amounts under certain plans. This is one reason it's important to consult with an attorney.

CHAPTER 4

CLAIMS INVOLVING UNINSURED/UNDERINSURED MOTORISTS

Financial Recovery With Uninsured Or Underinsured Motorists

If the at-fault party is uninsured or underinsured, it may still be possible to recover financial damages. However, the process may be complicated, and legal guidance can be beneficial.

1. **If the At-Fault Party Has Significant Assets:** In case of substantial injuries and if the at-fault party has considerable assets, pursuing the case may be beneficial. Their lack of insurance doesn't negate their liability for your injuries. You could potentially take the case to trial, earn a judgment against them, and then use this judgment to claim their assets. This method may be complex, but it's an effective negotiation tool when the party has insufficient insurance but sizable assets.
2. **If the At-Fault Party Lacks Insurance and Assets:** If you have underinsured motorist coverage and you're involved in an automobile accident, your insurance company can cover your damages. This type of coverage is beneficial when the at-fault party has no insurance or if your damages exceed their liability policy limit. However, obtaining a settlement via underinsured motorist coverage can be challenging, and insurance companies often dispute such claims. Therefore, the assistance of an experienced attorney can be vital in pursuing your claim effectively.

Notifying Your Insurance Company After An Auto Accident in Washington State

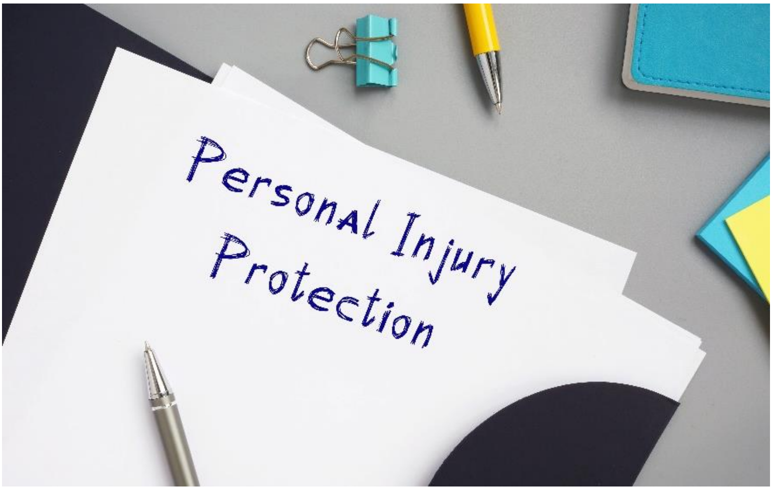
While it might not be legally required, reporting the accident to your insurance company is crucial for several reasons:

1. **Vehicle Damage:** If your vehicle has been damaged and the at-fault party's insurance company is not responsive or refuses to pay for repairs, your insurance company is still obligated to repair your vehicle under your policy.
2. **Personal Injury Protection (PIP):** If you have PIP benefits to cover medical treatment, it's important to contact your insurance company promptly so that they can begin paying for your medical treatment.
3. **Uninsured or Underinsured Motorist Coverage:** If the at-fault party was uninsured or underinsured, you need to discuss your case with your insurance company to process your claim for either property damage or injury.

Remember that while making a claim, your insurance company has the right to ask questions about the incident to investigate. However, it's crucial to consult with an attorney who can manage these conversations on your behalf, providing necessary information to the insurance company without jeopardizing your settlement amount or risking coverage denial.

CHAPTER 5

PERSONAL INJURY PROTECTION (PIP) COVERAGE



Personal Injury Protection In Washington State

Personal Injury Protection (PIP) plays a significant role in auto wreck injury cases in Washington State. The coverage is designed to compensate for medical bills resulting from injuries sustained during an accident. Not only does it cater to your medical bills, but it also covers lost wages during recovery and out-of-pocket expenses such as:

- Hiring help for house cleaning.
- Paying for gardening services.
- Other assistance you may require during your recovery period.

This is akin to no-fault coverage found in other states, implying that you are eligible for PIP irrespective of whether you are entirely or partially at fault for causing the collision. However, it is crucial for you to remember that any PIP amount received must be reimbursed from your personal injury settlement. That being said, a competent lawyer could potentially negotiate a reduction in the repayment amount, thereby augmenting your final settlement.

When PIP Coverage Falls Short

In the unfortunate event that your PIP coverage is insufficient to cover your medical bills, there are still alternatives for you. If you have private medical insurance, it can be used to fill the gap. For those without private medical insurance, it is possible to make arrangements with certain medical providers to defer payment of your bills until a settlement is received.

Immediate Medical Treatment In Personal Injury Cases

In personal injury cases, seeking medical treatment immediately following the incident is crucial. Insurance companies often leverage the delay of treatment to refute or reduce settlements. The longer the gap between the incident and the initial medical treatment, the more credible their argument becomes. They may contend that the injuries were not as severe as stated, or they were unrelated to the accident and caused by other incidents.

Choosing Medical Treatment Providers

You retain the right to select your own medical providers, and you are not obliged to follow the recommendations of the insurance company. However, if you have medical insurance with an HMO, you may have to consult with doctors within your network.

It's vital to choose providers proficient at both treating patients and documenting injuries and treatments effectively for your claim. Some doctors may avoid involvement in litigation and might be hesitant to treat patients with pending injury claims. Therefore, consulting with an experienced attorney ensures that you connect with the right treatment providers who can advocate for your recovery and your injury claim.

Interaction With The At-Fault Party's Insurance Company

The insurance company of the at-fault party is likely to contact you post-incident, aiming to secure a statement before you consult with a lawyer. Remember, it is not obligatory to provide them with a statement. In fact, it is recommended to speak to your attorney prior to giving any statements as these can be used against you during your settlement, your case, and potentially at trial.

The insurance company may also attempt to pressure you into agreeing to a settlement before you fully recover from your injuries. By doing so, you might deprive yourself of the opportunity to seek maximum compensation for your injuries, and the funds you might need in the future for medical treatment.

CHAPTER 6

THE ROLE OF INSURANCE IN A PERSONAL INJURY CLAIM

Timeline For Insurance Decision On Personal Injury Claims

The duration it takes for an insurance company to evaluate a personal injury claim depends on several factors. If the insurer admits the liability of their policyholder, the evaluation process becomes more straightforward. At this stage, the focus shifts to assessing your damages, identifying your injuries, and determining the value of your case.

In some situations, the nature of the injuries can be complex. If you were undergoing treatment or had an active injury at the time of the incident, the evaluation might take longer. The insurance company may request access to your prior medical records for scrutiny, a matter best discussed with an attorney before granting permission.

The policy limit of the at-fault party's insurance also influences the timeline. For instance, in Washington, if the minimum policy limit is $25,000 and your medical bills already total $20,000, you are still entitled to compensation for pain and suffering. If these combined damages exceed the policy limit, the insurance company may offer to settle the claim for the policy limit.

Ideally, the resolution of your case begins once your injury treatment is completed. With a clear understanding of your medical expenses and wage loss, your attorney can better negotiate a settlement on your behalf. However, if filing a lawsuit becomes necessary, expect the case resolution to take longer.

Insurance Tactics in Personal Injury Cases

A frequent defense employed by insurance companies in personal injury cases in Washington is comparative fault. They assert that you were partially responsible for the accident, warranting a reduction in your damages accordingly.

In cases where liability is unclear—such as determining the right of way in an intersection accident—the insurer may try to distribute fault between you and the at-fault party to decrease your settlement amount. As Washington is a comparative fault state, if you're found to be partially or entirely at fault, your damages award is reduced by the percentage of your fault.

Beyond comparative fault, insurance companies seek ways to limit your injury claim. They scrutinize any pre-existing conditions and argue that they are only responsible for exacerbating, not causing, these conditions, thus decreasing their payable damages.

They'll also look for treatment delays to suggest you're either not as injured as you claim, exaggerating symptoms, or possibly even fabricating them. If new symptoms or injuries are reported later in the case, insurers may claim these are exaggerated or caused by subsequent incidents. Hence, it is essential to report all your symptoms to your medical providers from the onset of treatment.

Insurance companies may also capitalize on minor damage to your vehicle, claiming that minimal or no damage implies no injuries, which isn't necessarily accurate. An experienced attorney can effectively counter these tactics to help you secure the compensation you deserve.

The Dilemma Of Initial Settlement Offers

If an insurance company presents an upfront settlement offer that seems appealing, should you accept it? Typically, the answer is no. The initial offer from an insurance company is seldom their best. Until a medical provider has confirmed the resolution of your injuries and the absence of need for future care, you should not accept a settlement offer. Upon accepting their offer, you'll likely sign a release of liability, barring you from seeking additional funds in the future if your injuries worsen or if new injuries emerge.

CHAPTER 7

THE IMPORTANCE OF MEDICAL TREATMENT IN AN INJURY CLAIM

The Importance Of Consistent Medical Treatment

Maintaining consistency in your medical treatment schedule plays a crucial role in both your physical recovery and the success of your case. This means following your healthcare provider's advice, attending all scheduled appointments, and avoiding any gaps in care. The primary goal here is your health and recovery. Your doctor, being the expert, offers instructions tailored to aid your recuperation.

A 'gap in care' refers to situations where an injury victim misses or discontinues medical appointments for a period, only to resume later. These treatment gaps provide an opening for insurance companies to argue that your injuries had resolved when you stopped attending appointments, suggesting that you might be faking or exaggerating your symptoms.

Likewise, if you frequently miss appointments, insurers could argue that your symptoms are not as severe as you claim, implying that you didn't require treatment or that you failed to mitigate your injuries by not following your doctor's recommendations.

The Calculation Of Personal Injury Claims In Washington State

The calculation of personal injury claims in Washington State involves a bifurcation into economic and non-economic damages.

Economic damages encapsulate all of your tangible costs such as past and future medical bills, past and future wage loss, and any out-of-pocket expenses associated with treating your injuries.

On the other hand, non-economic damages encompass compensation for the pain and suffering you endured due to the accident. This covers the loss of enjoyment of life, all the activities that you were unable to participate in because of your injuries, the inconvenience caused by attending appointments, time away from work and family, as well as your physical and emotional pain during recovery.

In some instances, spouses may claim for loss of consortium. If you're legally married or a state registered domestic partner, your spouse or partner can assert this claim for the harm inflicted on the relationship, reflecting the loss of affection and general damage endured by not having you fully present as a spouse or partner due to your injuries.

The calculation process involves aggregating the economic damages (medical expenses, wage loss) and the non-economic damages. The insurance company will then examine the nature of the case, the impact of the injuries on your life, and the evidence and witnesses available to support your claim. The insurer assesses the case based on anticipated jury behavior, reviewing similar jury verdicts with corresponding injuries and accident facts.

The insurer will also evaluate the skill and reputation of your lawyer, taking into consideration the history of your lawyer or their firm in terms of taking cases to trial and their success rate. The more factors that are in your favor, the higher the settlement amount is likely to be.

Estimating Future Medical Costs In Personal Injury Cases

Estimating future medical costs for a personal injury claim can be challenging, especially in cases involving severe injuries like burns or conditions requiring multiple surgeries and rehabilitation. However, it's crucial to ensure that your future healthcare needs are adequately accounted for in your claim.

Doctors and treatment providers play a critical role in this process. Once they determine the likely course of your recovery, they can often provide an estimated cost for anticipated treatments. For instance, if a surgery is required, the physician or their office can provide a cost estimate. If the treatment is expected to be ongoing, such as psychological counseling for post-traumatic stress disorder, that information can be factored in as well.

After identifying the type of future treatments, your attorney can consult with experts who can research market costs and develop a cost projection for your future treatment. These projections can be instrumental in resolving your case without the need for extended delays.

You generally don't have to wait until all treatments are completed before proceeding with your claim. However, it's important to ensure all future costs are taken into account before settling. If the statute of limitations is nearing, having this information in advance is crucial if you hope to settle without having to file a lawsuit.

CHAPTER 8

LITIGATING A PERSONAL INJURY CLAIM IN WASHINGTON

Next Steps When A Reasonable Settlement Agreement Can't Be Reached

Not all cases end up in trial, with the vast majority being settled before reaching that point, even after the initiation of a lawsuit. The key to securing a favorable settlement lies in the preparation of your case.

If your attorney can convincingly demonstrate your readiness to go to trial, it places the insurance company in an uneasy position. Insurance companies, while comfortable with risk, are not fond of gambling. The more prepared your case, the higher the risk they face.

With juries being unpredictable and no certainty on what an attorney will do on a given day, insurance companies prefer settling. Thus, hiring an experienced attorney enhances your chances of obtaining maximum compensation.

Key Questions To Ask When Hiring A Personal Injury Attorney

One of the first questions you should consider asking potential personal injury attorneys is, "Will you be handling my case?" It's crucial that your attorney has hands-on experience with trials and will be involved in your case throughout its entirety, from your initial consultation through to the potential of trial. You don't want an attorney stepping in last-minute to rectify errors or to gather evidence that should have been collected earlier. Preventing mistakes is easier than fixing them.

Another vital question to ask is whether they are willing to take the case to trial if settlement negotiations fail. If they're unprepared or uninterested in going to trial, the insurance company may detect this and adjust their evaluations accordingly, leading to reduced settlement offers.

In addition, it's important to inquire about an attorney's experience with insurance coverage, particularly regarding underinsured motorist claims, which are often complex and fiercely contested by insurance companies.

Experience in dealing with lien reductions is also vital, as many insurance policies contain language that may or may not allow your medical or personal injury protection insurance company to recover the full amount. A seasoned attorney with a comprehensive understanding of insurance coverage can identify this language and effectively negotiate with the insurance company, potentially leading to more money in your pocket.

The Misconception About Personal Injury Attorneys Taking Cases To Trial

It is often misunderstood that all personal injury attorneys take cases to trial. It's important to understand that this is not always true. You should ask your prospective attorney about their trial experience and record.

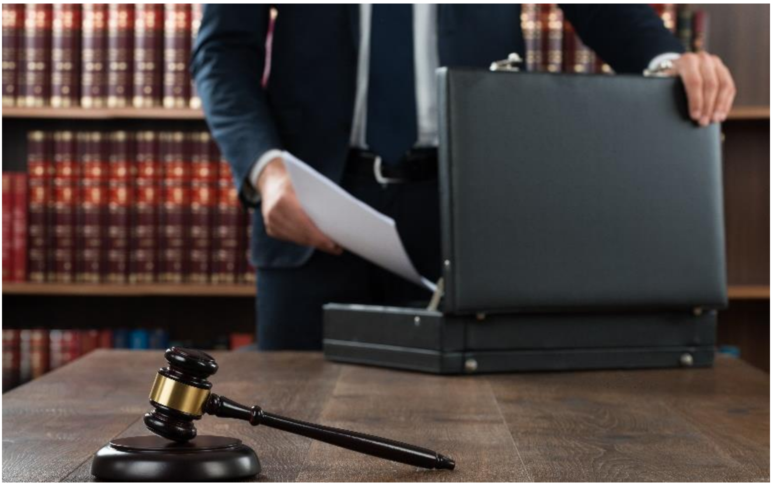
Some lawyers primarily focus on settling cases and will refer them to other attorneys if a trial seems inevitable. However, it's generally more beneficial to have an attorney who is not only capable of preparing your case but also willing and prepared to take it to trial if necessary. Insurance companies are aware of this, and it ultimately increases their perceived risk, prompting them to propose higher settlement amounts.

Affording Top-tier Personal Injury Representation

The concern of affording high-quality personal injury representation is often needless. Most personal injury attorneys operate on a contingency fee basis, which means if they don't recover any money for you, you don't owe them a fee. Therefore, you can afford the best representation available. It's crucial not to compromise on the quality of your attorney; otherwise, you may leave money on the table. Experienced attorneys are adept at preparing cases, gathering necessary evidence, limiting the opposing side's evidence, and putting the insurance company in a position of risk. This strategy can often lead to higher settlement offers.

CHAPTER 9

HIRING A PERSONAL INJURY ATTORNEY IN WASHINGTON



The Advantages Of Hiring An Experienced Attorney For Your Personal Injury Case

An experienced attorney brings numerous advantages to your case that may be challenging to achieve on your own. The most significant benefit is their ability to increase your settlement value. Insurance companies are aware that you, as a layperson, are unlikely to take your case to trial, or even to file a lawsuit. As a result, they tend to lower their settlement offers accordingly.

Many insurance companies don't present their best settlement offer until after a lawsuit has been filed. So, unless you're prepared to file and navigate the lawsuit process independently, you may not see the full value of your case. What's more, an experienced attorney can help you build your case from the ground up. With their extensive experience in trying cases, they understand what works and what doesn't when it comes to persuading both juries and insurance companies to settle.

While navigating a lawsuit presents numerous potential pitfalls, an experienced attorney can steer you clear of them, helping to shape your case, gather necessary evidence, secure crucial witness testimony, and work within civil procedure rules and evidence laws.

An experienced attorney can also negotiate your medical insurance liens, something that most people don't know how to do. This negotiation allows you to keep more of your settlement money, including negotiating liens on personal injury protection coverage, private medical insurance (to the extent allowed), and with entities like Medicare and Medicaid. By creating risk for the insurance company, they can potentially prompt a higher settlement offer before the trial commences.

AXION Law Group's Unique Strengths In Handling Auto Accident Injury Claims In Washington State

At AXION Law Group, our unique strengths in managing auto accident injury claims within Washington State lie in our extensive trial experience and our history of working with claims adjusters. From day one, our clients work directly with a trial attorney, through to settlement or trial.

We excel at building robust cases. As a seasoned trial attorney, I am well-versed in identifying the evidence required to maximize case value. I can pinpoint potential harmful elements in a client's case and devise strategies to mitigate them, all the while knowing how to shepherd the case through litigation and present it effectively at trial if needed.

Moreover, we prioritize ensuring our clients' access to medical treatment to aid in their recovery and bolster their case. Our history of working with insurance companies and claims adjusters offers a unique perspective on their claim evaluation processes.

I often witnessed cases ending up in litigation during my defense work tenure, as insurance adjusters weren't provided the necessary information for case assessment. From my extensive interactions with adjusters, I've learned what information they need, when and what to provide, and when to withhold certain data. All these efforts aim to increase settlement evaluations, which insurance companies use to decide their offer amount.

Safeguarding Information When Interacting With Medical Providers

Anything you disclose to medical providers can be included in your medical records, which are crucial for documenting your injuries. These records are scrutinized by insurance companies and may be used against you if they undermine your claim. Therefore, consistency in your discussions with hospital staff and medical providers at each treatment is essential. You should provide the information necessary for treating your injuries, but avoid drawing conclusions about who was at fault for the incident. Ensure that you report all your symptoms accurately. For instance, if you hit your head and lost consciousness during the accident, it is critical to inform them about it at your initial visit.

WHAT IS THE NEXT STEP?

When you've been injured or have lost a loved one, denied insurance benefits, or suffered workplace discrimination, you face many challenges in addition to your legal issues. At Axion Law Group, we understand the burdens you may face as you work to put your life back together. We battle insurance companies and prepare your case for settlement so you can focus on what's most important: you and your family.

For more information on Hiring A Personal Injury Attorney in Washington, an initial consultation is your next best step. Visit www.axion-law.com or call us at (253) 339-8500 today to get the information and legal answers you are seeking.

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What To Do After An Accident In Washington?

A Personal Injury Attorney's Advice On How To Deal With The Aftermath Of A Wreck

"Eric and Axion were amazing! I couldn't have asked for a smoother resolution to my auto-claim (despite my insurance dragging their feet at times)! Eric's communication throughout the process was top notch and most importantly, he managed to get a MAXIMUM settlement amount without even filing a suit! 10/10 will be calling Axion again the next time I need representation!"

– Oliver

Eric Chavez, Esq.

I went to law school to help people, and I spent the first part of my career defending insurance companies and corporations. Through that, I learned the ropes of litigation and how to try cases, and it gave me the opportunity to take cases to trial early on in my career. It provided invaluable insight into how insurance companies, and defense attorneys in general, view injury cases and decide whether to fight or pay.

I started AXION Law Group and switched to representing injury victims because I grew tired of seeing people who have been involved in accidents and hurt by others being taken advantage of by insurance companies. Ultimately, a lot of the time, they would walk away, leaving money on the table. Through my work at AXION, I use my experience to successfully take on some of the largest insurance companies in the world.

Why This Book Is For You

This book is for anyone who has been hurt by the negligence of someone else and feels lost or overwhelmed by our legal system. It can be daunting; there's a lot to know, especially if you're not a lawyer and you have never been through the process before.

I hope that this brief guide will provide reassurance that there are some highly skilled, compassionate attorneys out there who can guide you through the claim or litigation process and get you to a point where you can maximize your settlement amount.

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