

Serving All
NB, NS & PEIFormerly **Cantini Law Group****CLG INJURY LAW**

Accident and Disability Law

Call us **24/7** for a **FREE Interview**: 1-800-606-2529**Email Us** at: info@clginjurylaw.ca

Top 5 Mistakes You Need to Avoid After a Car Accident

1. Do not give a recorded interview or provide a written statement to the defendant's insurance company

When investigating a personal injury claim, most insurance companies will attempt to obtain recorded interviews. The defendant's adjuster will call you and ask very pointed questions about the facts of the case. What the adjuster usually does not tell you is this statement can later be used to deny your claim or lower any settlement offers. Insurers are financially motivated to pay you less than your claim is worth, so the questions asked are frequently slanted in favor of the insurer.

Do not consent to a recorded interview or provide a written statement to the insurance company. The best option is to decline to participate in an interview. Tell the adjuster you are seeking legal advice and you will not give any statements without your lawyer being present.



2. Do not sign any documents from the insurance company until you consult with a lawyer

An insurance claim adjuster may ask you to sign a medical records release form. Such forms are very broadly drafted and gives the adjuster the ability to obtain your complete

medical history. The adjuster will prey into your medical history and issues that may be unrelated to your personal injury claim.

Adjusters will usually insist they need copies of these medical reports in order to evaluate your injury claim. The adjusters approach is often, “you can run around trying to gather this information yourself, or you can sign this medical authorization and let me do the leg work for you.” Far from facilitating payment on a claim, a medical authorization form may be used against the unwitting claimant who naively thinks it will accelerate the payment process.

There is no legal requirement to sign a medical authorization to be entitled to recovery.



3. Be aware of strict time limits

A limitation period imposes time limits to bring a claim or a notice of a claim to the other parties. Generally speaking, for injury victims there is a limitation period of two years to sue the person who caused the injury. In certain circumstances the limitation period is much less. For example, a claim against a municipality or province has much stricter time limits.

Although a notice of action must be filed within the limitation, this does not mean that the settlement must be reached within the two years.



4. “An “independent” medical examination (IME) is not independent at all.

During your claim, the insurance company may exercise its right to have you appear before a doctor of the insurance company choosing for an independent medical examination. In actuality, this is more of a medical - legal examination than an

independent medical evaluation. Most of these doctors are hired exclusively by the insurance company to prepare medical reports.

The reality is that these doctors are far from “independent”. Often, they make the same pro- defense findings in case after case:

- Plaintiff’s injuries are pre-existing;
- Plaintiffs’ injuries are degenerative;
- Plaintiff’s injuries are not casually related to the accident;Plaintiff’s injuries are all fully resolved.

Do not meet with the insurance company’s medical examiners without consulting with your lawyer. An experienced personal injury lawyer can advise whether you are even required to undergo medical testing by certain health professionals.

5. Why claims adjusters don’t want you to retain a lawyer

Claim adjusters prefer to deal with unrepresented claimants because the value of your claim increases when a lawyer enters the scene. According to the research conducted by the Insurance Research Counsel, injury victims who were represented by a lawyer received settlements approximately 3.5 times larger than those without legal representation.

Personal injury lawyers who have regular dealings with insurance companies have a solid understanding of how to deal with adjusters. The lawyer will level the playing field because he can conduct a thorough investigation to gather the relevant evidence. A lawyer will also protect you from abusive tactics by claims adjusters. Furthermore, your lawyer will put together a persuasive settlement demand and negotiate from a position of strength.

Have You Been Injured in an Automobile Accident?

[Contact Us Today for a Free Case Review](#)

For 35 years, CLG Injury Lawyers have helped thousands of injured clients. We fight for your rights to receive the maximum compensation you deserve. Providing you the Peace of Mind to focus on your Road to Recovery. Our experienced personal injury lawyers offer a free, no obligation case evaluation.

We will explain your legal rights, the merits of your case and the entire personal injury claim process.