How Long an Auto Accident Claim Takes, Stage by Stage

A car accident claim moves through stages that can take months or longer. The property damage part often resolves within weeks, while the injury claim usually waits until medical treatment has run its course. A car accident lawyer can explain where a particular claim stands, though every claim is different.

Right after the crash

Medical care comes first, **Car Accident Lawyers Wiki** even when injuries seem minor at the scene, and the records made that day often become important evidence. Police usually write a crash report, and the report number is needed to request a copy. Most auto policies require prompt notice to the policyholder's own insurer, even when the other driver caused it. Photos of the vehicles, the scene and any visible injuries are easiest to take early, and dashcam **car accident lawyer** files should be saved before they are overwritten.

Property damage and early contact

The car is either repaired or declared a total loss, and the insurer pays the repair cost or the actual cash value. Some states allow a diminished value claim. The other driver's adjuster may request a recorded statement or make an early offer. Many people consult a car accident attorney at this point, before a release is signed. A preservation letter can ask the other driver or nearby businesses to keep video and event data recorder (EDR) data.

Medical treatment and the demand

While treatment continues, medical records and bills are gathered, together with proof of missed work. Many claims are not valued until the injured person reaches maximum medical improvement, the point when doctors can describe the long-term outlook. A car accident lawyer then prepares a demand package for the insurer with the medical records and bills plus a damages summary. In some states, time-limited settlement demands must follow statutory rules.

Settling before treatment ends

A release usually ends the claim for good, including any future medical costs tied to the crash. If a doctor expects surgery or long-term care, those costs are usually estimated before a demand is made. The treating doctor's written opinion can document them, and serious cases sometimes use a life care plan. Settling too early can leave those costs unpaid, while waiting too long can run into the filing deadline.

Filing suit

The insurer may accept the demand, reject it or make a counteroffer. If negotiations stall, the next step is usually a lawsuit, which has to be filed before the statute of limitations runs. Every state sets its own deadline, and claims against government agencies can require written notice much sooner. In discovery, the parties exchange written interrogatories and documents and take depositions, and the defense may ask for an independent medical examination. Many courts order mediation before trial, and most cases settle rather than reach a verdict.

When the claim resolves

Settling a claim usually means signing a release. Before funds are paid out, liens from Medicare, Medicaid or health plans may need to be resolved, and settlements for minors may need court approval in many states. A motor vehicle accident attorney typically provides a written closing statement showing the fee, the costs and the net amount. This is general information and not legal advice, and no article can predict how long a claim will take.