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**LEGAL GUIDE**

# **CAR ACCIDENTS IN FLORIDA:**

**How to Fight to Maximize**

**Your Compensation**



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**CHAPTER 1**

# THE IMPORTANCE OF BEING PREPARED

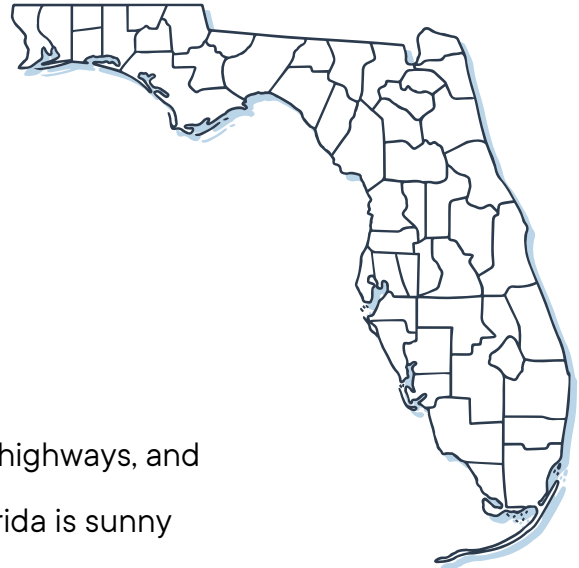
While auto accidents are unexpected, our response to them should not be. Being informed about the steps to take in the aftermath of a car accident can influence the outcome of insurance claims, potential lawsuits, and most importantly, the wellbeing of all parties involved.

Understanding the processes, legal stipulations, and rights as a Florida motorist is crucial. In a state bustling with local and visiting drivers, it's invaluable to know how Florida's injury laws work. Your knowledge helps to ensure not just a swift recovery, but also the best possible compensation for any injuries or damages incurred.



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# THE SCOPE OF FLORIDA'S TRAFFIC ACCIDENTS



Florida is known for its scenic drives, coastal highways, and vibrant cities. However, not everything in Florida is sunny rainbows. As per recent statistics, Florida sees nearly 400,000 traffic accidents annually. Distracted driving, adverse weather conditions, and human error cause these accidents that can have catastrophic effects. With millions of residents and tourists on the roads each year, accidents are bound to occur.





# THE JOURNEY AHEAD



This book is a comprehensive legal guide about what to do after a car accident. From the crucial moments after a crash to the intricate dance of legal procedures to help maximize compensation, our aim is to equip you with knowledge.

In the upcoming chapters, we will delve into practical steps, legal intricacies, and professional advice on navigating post-car accident scenarios in Florida. Whether you're a resident or a visitor, this guide seeks to be your trusted companion in ensuring that you're not just recuperated, but rightfully compensated.

Stay safe and stay informed!



CHAPTER 2

# IMMEDIATE AFTERMATH — THE FIRST 24 HOURS



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# PRIORITIZING SAFETY:

## WHAT TO DO RIGHT AFTER THE CRASH



### **CHECK FOR INJURIES:**

Before you assess damage or exchange details, ensure that you and your passengers are okay. If anyone is hurt, call for medical assistance immediately.



### **SHIFT OUT OF TRAFFIC:**

If it's safe and feasible, move your vehicle out of the direct flow of traffic to avoid any further accidents. If the vehicle is immobile, turn on your hazard lights to alert other drivers.



### **STAY CALM AND DO NOT FLEE:**

Fleeing the scene of an accident, especially if someone is injured, is illegal. Stay put and wait for the appropriate authorities.



### **CALL THE POLICE:**

An official police report hopefully offers an unbiased account of the incident, aiding in insurance claims and potential legal disputes. Typically, having a police report will make your claim go smoother and faster.



# GATHER ESSENTIAL INFORMATION!

In the aftermath of a collision, gathering the right information is the cornerstone of any potential legal or insurance-related actions. Here's a checklist:

**01**

## **DETAILS OF THE INVOLVED PARTIES:**

Obtain names, addresses, contact numbers, and insurance details of all drivers. If there are passengers, it's wise to get their details too.

**02**

## **LICENSE & REGISTRATION:**

Write down driver's license numbers and vehicle registration details.

**03**

## **WITNESS INFORMATION:**

If there are bystanders or witnesses, politely ask for their contact details. They can provide crucial independent accounts of the incident.





# 04

## DOCUMENT THE SCENE:

Use your phone to take photographs or videos. Capture vehicle damage, license plates, the overall scene, traffic signals, road conditions, skid marks, and any visible injuries.

# 05

## TAKE NOTES:

Document the date, time, and weather conditions. Write down your version of events while it's fresh in your mind.



# THE ROLE OF LAW ENFORCEMENT

In Florida, law enforcement plays a pivotal role after an accident. Appropriately engaging with law enforcement officers will help any potential legal claims and may help the insurance process move faster.



01

**REPORTING:**

Report any accident that results in injuries, death, or property damage. Always call the police to the scene and get an accident report, if possible.

02

**OBTAIN AN OFFICIAL REPORT:**

Once the police arrive, they'll investigate and compile an official accident report. This document can be invaluable during insurance claims or legal proceedings.

03

**YOUR STATEMENT:**

Be clear and truthful when giving your account. Avoid speculating or guessing about details. If you're unsure about certain aspects, it's okay to say so.



The immediate aftermath of an accident can be overwhelming. Yet, these initial actions lay the groundwork for everything that follows, from insurance claims to potential lawsuits. By ensuring safety, diligently collecting information, and appropriately engaging with law enforcement, you set the stage for a smoother recovery process, both medically and legally.

## NOTE

Always prioritize safety. While this guide provides a foundational understanding, specifics can vary based on the nature of the accident. It's advisable to consult with a legal professional for tailored advice.



**CHAPTER 3**

# HEALTH COMES FIRST — MEDICAL CONSIDERATIONS



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# WHEN AND WHY TO SEEK IMMEDIATE MEDICAL ATTENTION

After an accident, it's essential not to overlook or underestimate injuries, as some may not manifest immediate symptoms. Even if you feel fine, you are strongly advised to do the following:

## 01

### **GET EVALUATED:**

Seek medical professional immediately after an accident. Some injuries, like internal bleeding or concussions, might not be immediately apparent, but can have severe consequences if left untreated. Further, you want to make sure that your doctor conducts a thorough investigation to ensure that there are no long-term injuries that will adversely impact your life.

## 02

### **PREVENT COMPLICA- TIONS:**

Early diagnosis and treatment can prevent potential complications and ensure a smooth recovery. Injuries don't get better with time. Many people will try to ignore injuries thinking that they are tough, and it is just a little soreness or that it will go away on its own. Oftentimes, this may lead to more serious treatment, more serious injuries, and a much longer recovery. The best thing you can do to protect your health after an accident is to see a doctor at the first sign of any pain.



# DOCUMENTING YOUR INJURIES

Proper documentation can significantly impact the success of insurance claims and potential lawsuits. Remember to:



## **MAINTAIN MEDICAL RECORDS:**

While your attorney will gather all of your medical records, it is important that you let your doctor know about all symptoms or injuries related to the accident. Additionally, you want to make sure the doctor is informed about your recovery process. If the injuries are getting worse, you need to let the doctor know so he or she can treat you appropriately. Additionally, maintain records of any out-of-pocket costs including medical visits, treatments, prescriptions, and any other related expenses.



## **PHOTOGRAPH INJURIES:**

Visual evidence of bruises, cuts, or other injuries can be powerful in supporting your claims. Take photographs documenting the injuries and the recovery process.



## **FOLLOW-UP VISITS:**

Make sure you attend all recommended follow-ups. Skipping these might be misconstrued as evidence that the injury wasn't serious.



# FOLLOW-UP VISITS AND LONG-TERM IMPACTS

Accidents can have prolonged impacts, not just physically but emotionally and mentally too:



## **PHYSICAL THERAPY & REHABILITATION:**

If advised, attending physical therapy sessions can be crucial for full recovery and documenting the extent of your injuries.



## **MENTAL HEALTH CONSIDERATIONS:**

Post-traumatic stress or anxiety after an accident is not uncommon. Consider seeking counseling or therapy if you feel persistently disturbed or anxious.



## **KEEP A JOURNAL:**

Documenting daily pain levels, emotional challenges, and limitations can provide a comprehensive view of the accident's impact on your life.

Your health and well-being are paramount. Prioritize medical attention post-accident, and diligently document everything. Not only does this aid in recovery, but it also provides a robust foundation for any legal or insurance proceedings that might ensue.



## CHAPTER 4

# PITFALLS TO AVOID

In the aftermath of an accident, it's easy to make mistakes due to stress, confusion, or lack of knowledge about the legal process. Some of these missteps can have long-term implications on your claim or your rights.



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# COMMON MISTAKES AFTER AN ACCIDENT

01

## NOT SEEKING MEDICAL ATTENTION:

Even if you feel okay, always get a medical evaluation. Some injuries, like whiplash or internal trauma, may not be immediately apparent.

02

## ADMITTING FAULT:

Never admit fault at the scene, even if you believe you're to blame. Determining liability often involves many factors you might not be aware of.

03

## NOT REPORTING THE ACCIDENT:

Always file a police report, if possible. It provides an unbiased account and can be pivotal when initially establishing fault.

04

## DELAYING THE CLAIM:

Waiting too long to file a claim can diminish your chances of securing compensation, as evidence might be lost and memories fade.



# INTERACTING WITH OTHER DRIVERS AND INSURANCE COMPANIES

01

## **EXCHANGING INFORMATION:**

Always collect the other driver's details, but avoid extensive conversations about the accident to prevent unintentional admissions.

02

## **SPEAKING WITH THE OTHER PARTY'S INSURANCE:**

Be cautious when speaking to the other driver's insurance company. It's preferable to let your attorney handle these interactions.

03

## **ACCEPTING THE FIRST SETTLEMENT OFFER:**

Insurers might try to settle quickly and for less than what you deserve. Always consult an attorney before accepting any offer.

04

## **SIGNING DOCUMENTS WITHOUT REVIEW:**

Never sign any document from an insurance company without understanding its implications or having it reviewed by legal counsel.

# SOCIAL MEDIA AND YOUR CLAIM



## **POSTING ABOUT THE ACCIDENT:**

Avoid discussing the accident or your injuries on social media. While you may not be doing anything wrong, the insurance company may try to use your words or photos out of context to make it seem like you aren't injured.



## **SHARING MEDICAL DETAILS:**

Even a seemingly innocent post about a doctor's visit can be twisted and used against you. It's best to not post about anything related to your accident.



## **CHANGING PRIVACY SETTINGS:**

Make sure your social media accounts are set to private. However, remember that complete privacy isn't guaranteed. It's best to refrain from posting until your claim is resolved. Additionally, even if your account is set to private, the insurance company may be able to request the information you post through discovery. Assume anything you post on social media will be seen by the insurance company, even if your account is set to private.







### **IMAGES AND ACTIVITIES:**

Posting photos or updates about physical activities can be misconstrued as evidence that your injuries are not as severe as claimed. Keep this in mind when making any posts on social media.

The aftermath of an accident is overwhelming, and the road to compensation can be fraught with potential missteps. By being aware of these common pitfalls and taking proactive measures to avoid them, you can protect your rights and improve your chances of a favorable outcome.



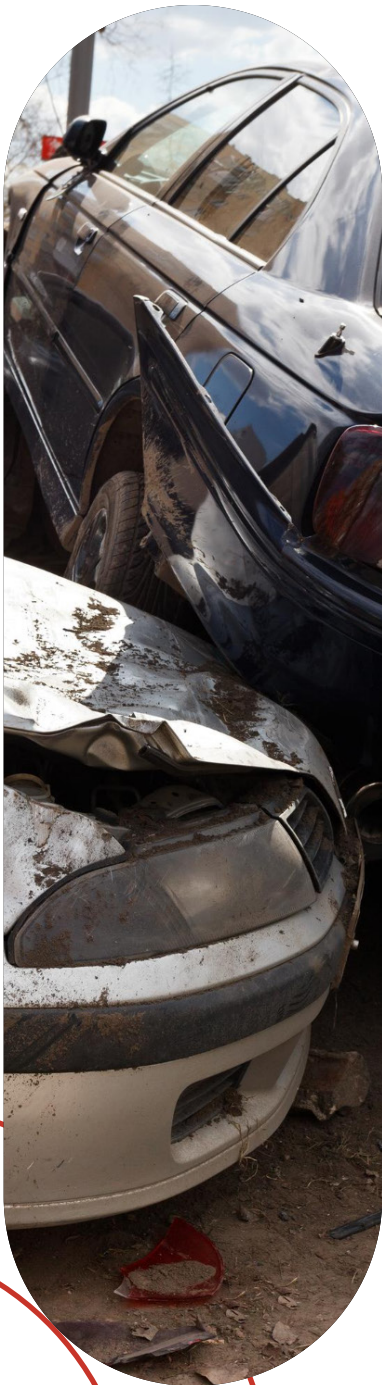
CHAPTER 5

# FLORIDA INSURANCE — UNDERSTANDING NO-FAULT LAWS



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# WHAT NO-FAULT REALLY MEANS FOR FLORIDA DRIVERS



Florida operates under a no-fault insurance system, which has significant implications for how car accident claims are handled. Regardless of who is at fault for an accident, each driver's insurance has up to \$10,000 in Personal Injury Protection (PIP) Benefits. These benefits are commonly referred to as no-fault benefits because you are able to use these benefits, even if you are at fault in the accident. This does not mean that you are entitled to a check for \$10,000. Rather, these benefits provide up to \$10,000 to seek medical treatment from the injuries caused by the accident. However, in order to utilize these benefits, you must seek medical attention within 14 days. Additionally, in some cases your PIP benefits may also provide compensation for some lost wages.





# PERSONAL INJURY PROTECTION (PIP):

## WHAT'S COVERED AND WHAT ISN'T

### 01

#### COVERAGE EXTENT:

Typically, PIP covers 80% of medical expenses and 60% of lost wages, up to the policy's limits, which is usually \$10,000 in Florida. It may also provide reimbursement for mileage to medical appointments.

### 02

#### EXCLUSIONS:

While PIP provides broad coverage, there are exclusions. For instance, it won't generally cover damage to your vehicle. For such damages, you'd turn to your collision or comprehensive coverage.

### 03

#### THRESHOLD FOR STEPPING OUTSIDE NO-FAULT:

If injuries are permanent (e.g., significant and permanent loss of an essential bodily function, permanent injury, or significant scarring and disfigurement), you may step outside the no-fault system and pursue a claim against the at-fault driver. This is called a bodily injury claim.



# UNINSURED AND UNDERINSURED MOTORIST COVERAGE

Florida is the only state that does not require drivers to carry bodily injury coverage. This means that someone can hurt you with a motor vehicle and legally not have insurance to cover the damage caused. Additionally, an estimated 20% of drivers in Florida carry no insurance at all. Having Uninsured and Underinsured Motorist coverage can be a lifesaver in Florida if someone carrying little to no insurance injures you or a family member.

## UNINSURED/ UNDERINSURED MOTORIST (UM) COVERAGE:

Uninsured Motorist coverage kicks in if you're in an accident with an uninsured driver or in a hit-and-run scenario. It covers the expenses that the other driver's insurance would have covered if they had been insured. Additionally, if the at-fault driver has insurance, but is insufficient to cover all your damages, Underinsured Motorist coverage can fill in the gap.



**CHAPTER 6**

# THE LEGAL LANDSCAPE — WHEN TO ENGAGE AN ATTORNEY



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# RECOGNIZING THE COMPLEXITY OF CAR ACCIDENTS

If you're injured in an accident, hiring an attorney is paramount for several reasons. First and foremost, personal injury law can be intricate, and navigating it without proper guidance can lead to missed opportunities. An experienced attorney knows how to meticulously build a case, ensuring all medical expenses, lost wages, and potential future costs are accounted for.



# BENEFITS OF HIRING AN ATTORNEY



## **01** PROFESSIONAL GUIDANCE:

Lawyers can provide clarity on the legal aspects of your case, ensuring you make informed decisions.

## **02** MAXIMIZING COMPENSATION:

Experienced attorneys know how to build a strong case, negotiate with insurance companies, and fight to ensure you receive the compensation you deserve.

## **03** HANDLING PAPERWORK:

Legal proceedings involve extensive documentation. An attorney can ensure all paperwork is correctly filed and within stipulated timelines.

## **04** REPRESENTATION IN COURT:

If your case goes to trial, having a professional to represent your interests can make a substantial difference in the outcome.

# WHEN SHOULD YOU CONSIDER HIRING AN ATTORNEY?

01

## INJURIES OR PERMANENT DISABILITY

If the accident results in any injuries, long-term health issues, or disability, an attorney can help calculate future costs and losses and fight to get you the compensation you deserve.

02

## DISPUTED LIABILITY:

If the other party denies fault or if their insurance company disputes the claim, an attorney can help provide evidence to establish liability.

03

## INSUFFICIENT INSURANCE COVERAGE:

If the at-fault party doesn't have enough insurance to cover your damages, an attorney can explore other avenues for compensation.



# 04

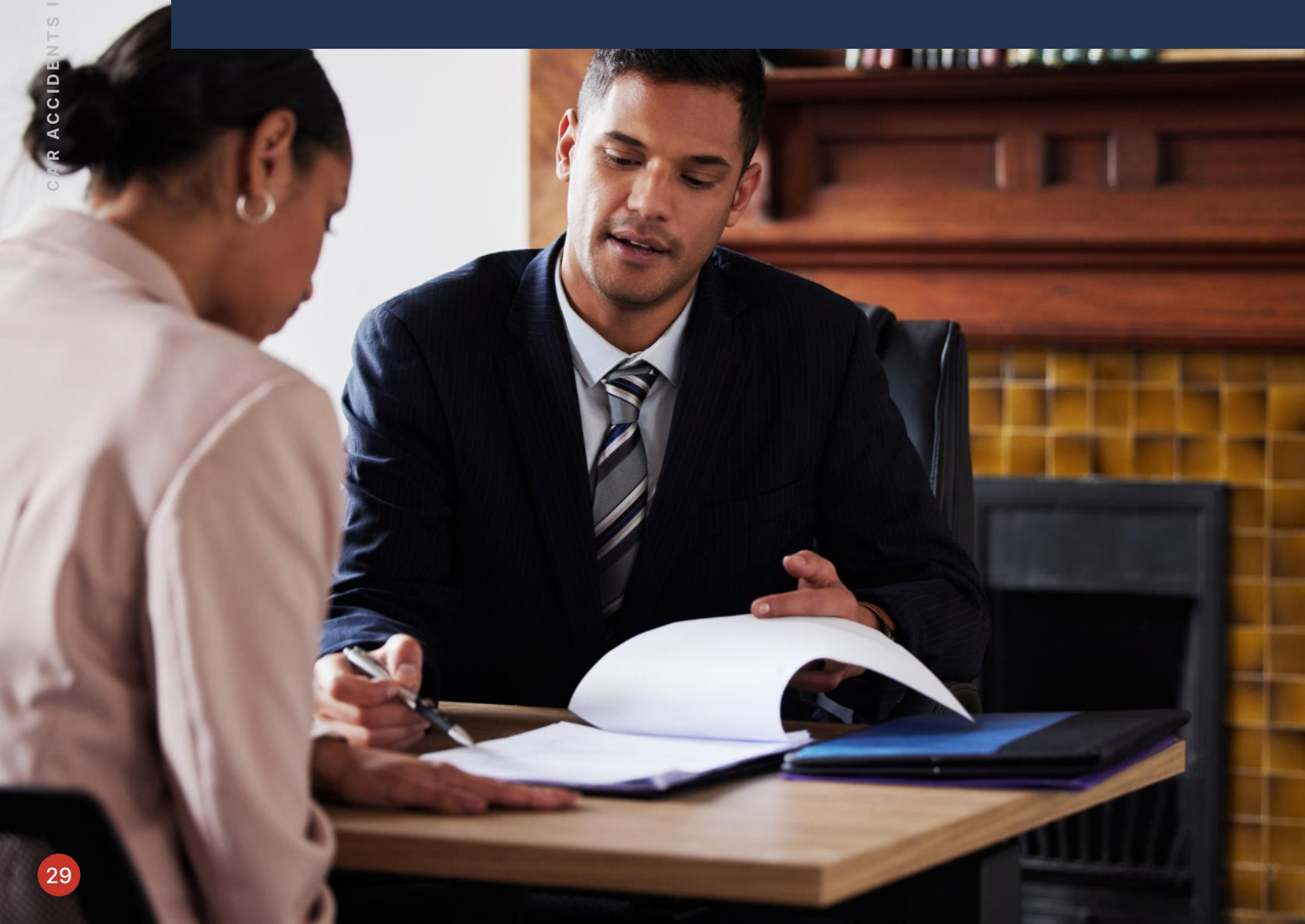
## **INSURANCE COMPANY COMPLICA- TIONS:**

If the insurance company refuses to pay or offers a lowball settlement, an attorney can challenge this and fight on your behalf.

# 05

## **MULTIPLE PARTIES INVOLVED:**

In accidents with several vehicles or parties, determining liability and ensuring appropriate compensation can become complicated. An attorney can help streamline this process.



# CHOOSING THE RIGHT ATTORNEY



## **EXPERIENCE:**

Ensure the attorney has experience handling car accident cases, specifically in Florida, given the state's unique laws.



## **REPUTATION:**

Look for attorneys with a good track record of successful settlements and client satisfaction.



## **COMMUNICATION:**

Choose an attorney who communicates clearly, keeping you informed at every stage.



## **FEES:**

Understand their fee structure. Many personal injury attorneys work on a contingency fee basis, meaning they only get paid if you win.

Engaging an attorney post-accident is an investment in helping to ensure that your rights are protected and that you receive the compensation you rightfully deserve. As you navigate the aftermath of a car accident, having an attorney by your side can make the process smoother and more effective.





## CHAPTER 7

# HOW TO CALCULATE DAMAGES & COMPENSATION

Navigating the intricacies of damages and compensation is crucial for anyone involved in an accident. Understanding these facets ensures you're fully aware of what you're entitled to, and how these values are determined.



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# TYPES OF DAMAGES:

## ECONOMIC VS. NON-ECONOMIC

### ECONOMIC DAMAGES:

These are quantifiable financial losses stemming from the accident. They include:

- > Medical expenses (past and future)
- > Lost wages and loss of earning capacity
- > Property damage (e.g., car repairs)
- > Rehabilitation costs

### NON-ECONOMIC DAMAGES:

These refer to intangible losses that don't have a direct monetary value but significantly impact an individual's life. They include:

- > Pain and suffering
- > Emotional distress
- > Loss of enjoyment of life
- > Loss of consortium (the loss of benefits of a familial relationship due to injuries)



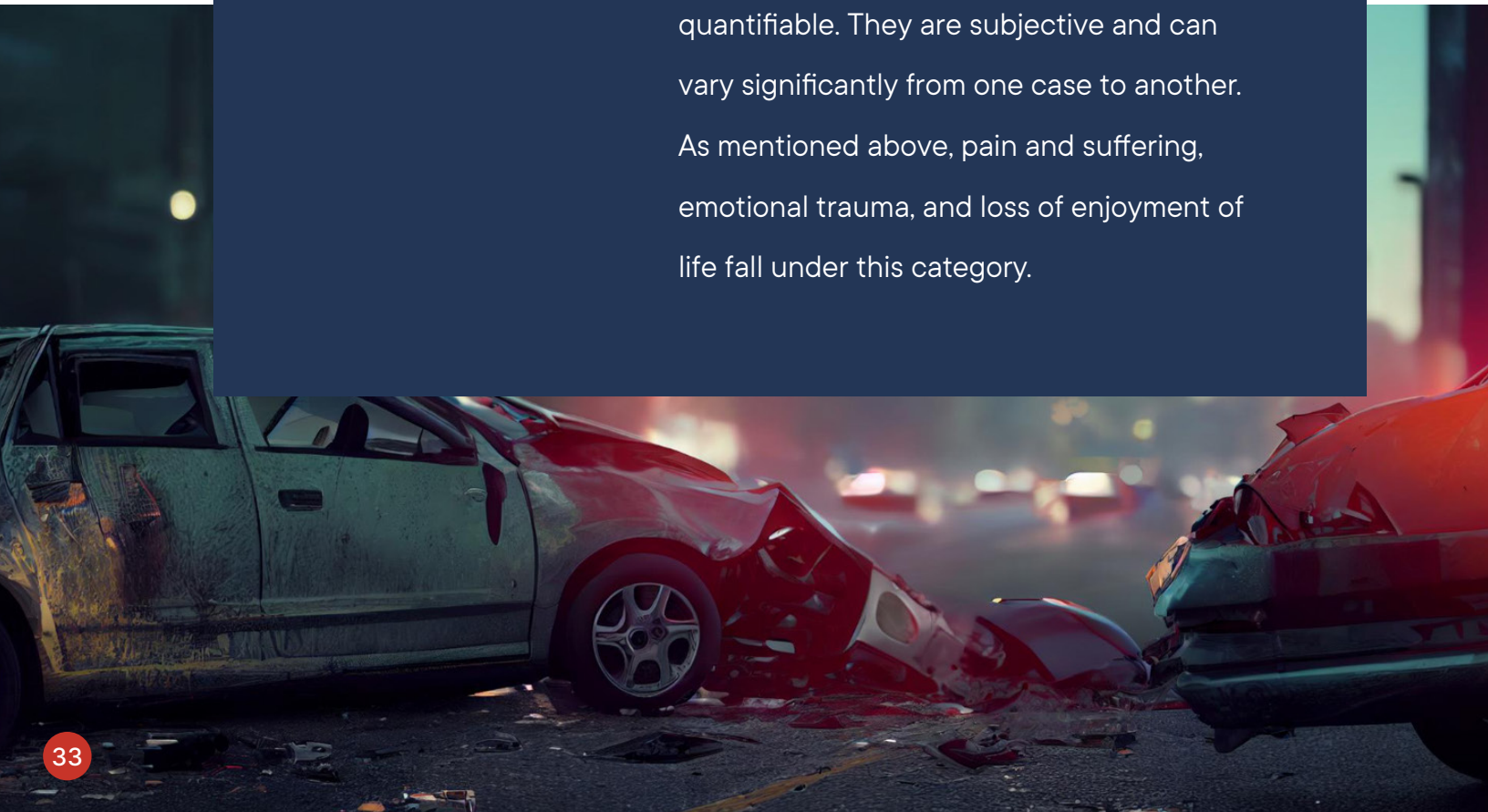
# SPECIAL VS. GENERAL DAMAGES

## 01 SPECIAL DAMAGES:

These are damages that have been or will be incurred because of the accident and can be calculated to an exact amount. Examples include medical bills, property repair costs, and lost earnings.

## 02 GENERAL DAMAGES:

These damages compensate for non-monetary losses that aren't easily quantifiable. They are subjective and can vary significantly from one case to another. As mentioned above, pain and suffering, emotional trauma, and loss of enjoyment of life fall under this category.



# ESTIMATING POTENTIAL COMPENSATION

01

## GATHERING DOCUMENTATION:

Begin by collecting all bills, receipts, and documentation related to the accident. This includes medical bills, proof of lost wages, therapy costs, and any other out-of-pocket expenses.

02

## QUANTIFYING NON-ECONOMIC DAMAGES:

This is more challenging, as it involves assigning a monetary value to intangible losses. Factors considered include the severity of the injury, the impact on daily life, and emotional repercussions. Sometimes, a multiplier method is used – this means multiplying the total economic damages by a number (typically between 1.5 to 5) that reflects the severity of the non-economic damages. However, these damages can vary greatly depending on the individual facts of your case or claim.





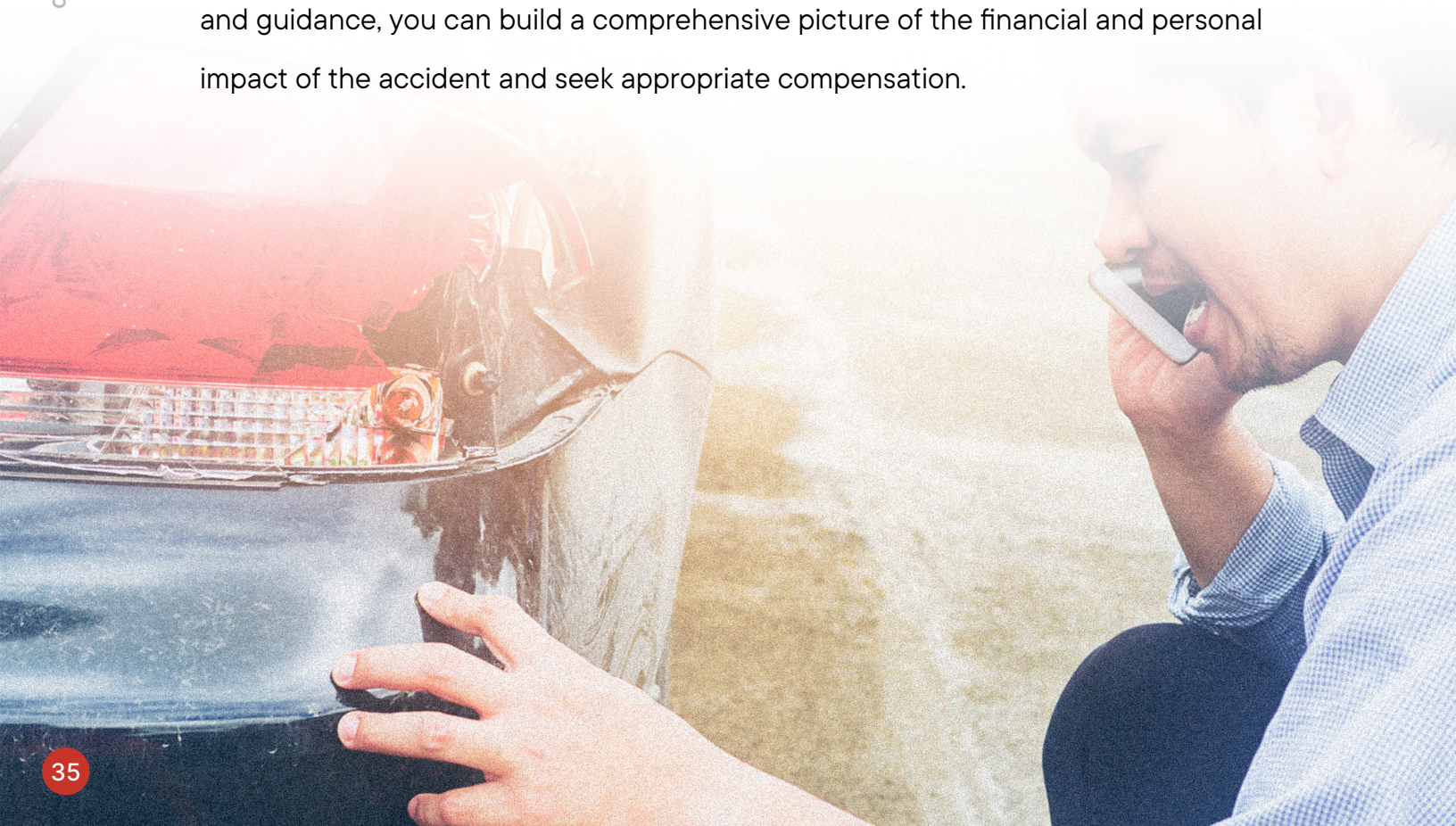
### **03** CONSIDERING FUTURE IMPLICATIONS:

For severe injuries, future implications such as ongoing therapy, future surgeries, or long-term lost wages should be considered. Expert witnesses, like doctors or vocational experts, can provide insights into projected costs.

### **04** FACTORING IN COMPARATIVE NEGLIGENCE:

In some cases, if you're partially at fault for the accident, your potential compensation can be reduced proportionally based on your degree of fault as long as you are not found to be more than 50% at fault.

Understanding the nuances of damages and compensation is vital in ensuring you pursue all that you're entitled to after an accident. With the right documentation and guidance, you can build a comprehensive picture of the financial and personal impact of the accident and seek appropriate compensation.



## CHAPTER 8

# THE LEGAL PROCESS — FROM CLAIM TO LAWSUIT

The road from the time of your accident to resolving your claim can be confusing. Understanding the legal process, from the initiation of a claim to potentially going to trial, is crucial for any claimant.



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# INITIATING AN INSURANCE CLAIM:

## STEPS AND PROCEDURES



### **REPORT THE ACCIDENT:**

Notify your insurance company about the accident as soon as possible. Adhere to any deadlines set by your policy. Typically, you have an obligation to put your insurance company on notice within a reasonable time after the accident.



### **PROVIDE NECESSARY DOCUMENTATION:**

Gather and provide all pertinent documents. This includes the police report, medical bills, proof of lost wages, and any evidence or photos from the accident scene.



### **STATEMENT TO INSURER:**

Often, your insurance company will request a recorded statement. Before giving one, consult an attorney to ensure your rights are protected.







**PROPERTY  
DAMAGE  
EVALUATION:**

An insurance adjuster will evaluate the damage to any property involved and estimate repair costs.

# NEGOTIATING WITH INSURANCE ADJUSTERS

**01**

**FIRST  
OFFER:**

Adjusters often start with a low settlement offer. It's essential to understand that this is a starting point, and negotiations are part of the process. Many times, the insurance adjuster may know that they are offering pennies on the dollar to see if you will take the low offer. It is important to know your rights and know your options when negotiating with the adjuster.





## 02

### **DETAILED JUSTIFICATION:**

If you believe the offer is too low, request that the adjuster provides specific reasons. Sometimes, the adjuster might not have factored in all your medical expenses or other costs. Other times, the adjuster may say things like “we believe you are 30% at fault”. If the adjuster is trying to place fault on you, this is usually a tactic to try to convince you to take a lowball settlement offer. Don’t fall for it!

## 03

### **PROVIDE COUNTER-EVIDENCE:**

If there’s a dispute, provide additional documentation or evidence that supports your claim.

## 04

### **STAY CALM AND PATIENT:**

Negotiations can be lengthy and stressful. However, keeping emotions in check and being persistent can lead to better outcomes.



Remember, the insurance adjuster is not your friend. They have one job and that is to pay you as little as possible for your claim. They will act nice because they want you to trust them, but remember they do not have your best interest at heart. Before you ever agree to any settlement always ask the adjuster what the policy limits are on the policy. If they won't give you that information, you need an attorney!

# THE LAWSUIT:

## FROM FILING TO TRIAL



### FILING A LAWSUIT:

If a satisfactory settlement can't be reached, your attorney might recommend filing a lawsuit. This begins by serving the defendant with a complaint outlining your allegations and demands.



### DISCOVERY PROCESS:

Both sides exchange information in this phase. This can involve interrogatories (written questions), depositions (sworn statements taken verbally), and requests for documents.



**MEDIATION:**

Before a trial, both parties might be required to try to resolve the case through mediation, which involves a neutral third-party mediator. This is essentially just a settlement conference to try and resolve the case.



**TRIAL:**

If no settlement is reached, the case goes to trial. Both sides will present evidence, call witnesses, and make arguments. At the end of the trial, a jury will render a verdict.



**APPEAL:**

If either side believes there was a legal error during the trial, they can appeal to a higher court.

Navigating the legal journey from claim to lawsuit can be daunting. However, having the right attorney by your side will help to ensure that your rights are upheld and that you fight for the compensation you deserve.



## CHAPTER 9

# DETERMINING AND PROVING LIABILITY

After an accident, one of the most critical tasks is determining who was at fault and establishing liability. Given Florida's specific rules surrounding negligence, understanding how to prove liability is crucial for anyone seeking compensation.



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# FLORIDA'S COMPARATIVE NEGLIGENCE RULE

## 01

### UNDERSTANDING THE RULE:

Florida follows the principle of “comparative negligence.” This means that more than one party can share fault in an accident. Instead of an all-or-nothing approach, each party is assigned a percentage of fault, which can influence the compensation they receive. As long as you are not found to be more than 50% at fault, you are still able to obtain compensation.

## 02

### IMPLICATIONS FOR COMPENSATION:

If you're found to be partly at fault, your compensation will be reduced by your percentage of fault. For instance, if you're awarded \$100,000 in damages but are found 20% at fault, you'll receive \$80,000. However, if you are found to be 51% at fault, you receive nothing.

## 03

### WHY IT MATTERS:

This rule emphasizes the importance of establishing the other party's liability clearly, while also being prepared to defend against claims of your own negligence.



# GATHERING EVIDENCE:

## THE CORNERSTONE OF YOUR CLAIM

### 01 IMMEDIATE AFTERMATH:

As stated before, start collecting evidence at the accident scene, if possible. This can include photographs of vehicle damages, skid marks, road conditions, and any visible injuries.

### 02 POLICE REPORTS:

Always call the police after an accident. Their report can provide an unbiased account of the accident, and may include details or observations you missed. While police reports are typically not admissible in court, they can be very helpful in negotiations and while investigating the accident.



### 03 MEDICAL DOCUMENTATION:

Seek medical attention promptly and ensure all injuries, diagnoses, and treatments are thoroughly documented. This can serve as crucial evidence of the physical impact of the accident.

### 04 OTHER RELEVANT EVIDENCE:

This can range from surveillance footage, if available, to weather reports on the day of the accident.



# WITNESS STATEMENTS AND EXPERT TESTIMONY

**01****EYEWITNESS ACCOUNTS:**

Bystanders or other drivers can provide statements that corroborate your account of the accident. Their unbiased perspective can lend credibility to your claim.

**02****EXPERT WITNESSES:**

In certain cases, you might benefit from expert testimony. These can come from:

**A**

**Medical Experts:** To attest to the severity of injuries, prognosis, and future medical needs.

**B**

**Accident Reconstruction Specialists:** To analyze the accident scene, vehicle damages, and other data to paint a clear picture of how the accident occurred.

**C**

**Economic Experts:** To quantify economic losses, especially if you're facing long-term unemployment or diminished earning capacity.

Determining and proving liability isn't always straightforward, especially given Florida's comparative negligence system. Having credible witnesses and experts, can significantly strengthen your claim. This process, while intimidating, is crucial in ensuring you receive the compensation you rightfully deserve.





**CHAPTER 10**

# CONCLUSION AND NEXT STEPS

Navigating the aftermath of a car accident is not merely about recovering from the physical trauma, but also managing the intricate web of legalities, rights, responsibilities, and claims. As we conclude this guide, let's revisit the most pivotal takeaways and look at the road ahead, ensuring that you're empowered to make informed decisions.



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# RECAP OF KEY TAKEAWAYS

**01 IMMEDIATE ACTIONS:** Prioritize safety, seek medical attention promptly, document the scene, and gather relevant information.

**02 UNDERSTANDING LIABILITY:** In Florida, the principle of “comparative negligence” means multiple parties can share fault. This underscores the importance of a robust case establishing liability.

**03 THE IMPORTANCE OF EVIDENCE:** From the scene of the accident to medical records and witness accounts, gathering strong evidence is the cornerstone of your claim.

**04 ENGAGING LEGAL EXPERTISE:** A personal injury attorney’s involvement can significantly impact the outcome, guiding you through the nuances of the process and advocating for your rights.



## 05 **STAY INFORMED:**

Knowledge is power. Familiarize yourself with your rights, possible compensation types, and Florida's legal landscape concerning car accidents.

## 06 **CONSISTENT MEDICAL FOLLOW-UP:**

Regular medical check-ups and adhering to treatment plans not only aids in recovery, but also establishes a clear record of your injury and the treatment needed to help you recover.

## 07 **AVOID PITFALLS:**

From being cautious on social media to refraining from admitting fault, steer clear of mistakes that might compromise your claim.

A car accident's ripple effects can be long-lasting, but with the right information, resources, and support, you can navigate this challenging period with confidence. While this guide serves as an introduction, remember that every situation is unique, and you must seek personalized advice from an attorney.

Remember, when in doubt or when faced with challenges, "Just Call Moe" – we're here to help you every step of the way.



CHAPTER 11

# FREQUENTLY ASKED QUESTIONS (FAQS)



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# ADDRESSING COMMON CONCERNS AND MISCONCEPTIONS

**Q****Do I need an attorney even if the accident wasn't severe?****A**

While you're not legally required to hire an attorney, consulting one can provide clarity. They can advise if you have a potential claim and help navigate interactions with insurance companies. Studies from insurance companies have found that accident victims who had an attorney received over three times more compensation than those who proceeded without an attorney.

**Q****Can I still receive compensation if I was partially at fault?****A**

Yes, Florida operates under a comparative negligence system. As long as you are not more than 50% at fault, you can still seek compensation, but the amount may be reduced by your degree of fault.

**Q****How soon after the accident should I file a claim?****A**

It's advisable to initiate a claim as soon as possible, while evidence is fresh. However, Florida's statute of limitations for most personal injury cases is two years from the date of the accident. There are exceptions to the statute of limitations, so it's best to contact an attorney if you've been injured in an accident.





Q

**Will my insurance rates go up if I file a claim?**

A

Typically, if you are not at fault your insurance rates will not increase. However, if you have been involved in more than 3 accidents in 3 years, your insurance rates could increase. Consulting your insurance policy and discussing with your agent can provide more insight.

Q

**What type of compensation can I expect?**

A

Compensation can cover various damages, from medical expenses and lost wages to pain and suffering. The amount depends on the severity of the accident, the nature of your injuries, and other associated costs. The recovery may also be limited by the policy limits available.

Q

**What if the other driver doesn't have insurance?**

A

If the at-fault driver is uninsured or underinsured, we will search for all applicable insurance policies available. If we are not able to locate any applicable policies, we may need to file a claim with your own insurance if you have uninsured motorist coverage. Your attorney can guide you on the best approach.



**Q****Can I choose my own doctor for treatment?****A**

Absolutely. However, we recommend seeking treatment with a doctor who is familiar in treating auto accident patients as they will know the intricacies that come along with this area of practice.

**Q****How long will it take to resolve my claim?****A**

Some cases take months, while other cases take several years. The duration varies based on the complexity of the case, the willingness of parties to settle, and court schedules if it goes to trial.

**Q****How much does it cost to hire a personal injury attorney?****A**

Personal injury attorneys work on a contingency fee basis. This means you owe nothing, unless we win your case. Additionally, you won't have to pay anything out of pocket as we advance all costs and fees on your behalf.

**Q****Should I settle my case on my own?****A**

Before ever accepting a settlement offer, you must know the policy limits available. If the insurance adjuster won't provide the policy limits, you need to consult with an attorney. Never settle your case without all the necessary information.



# IF YOU OR SOMEONE YOU KNOW HAS QUESTIONS ABOUT A PERSONAL INJURY CASE

Contact us at Just Call Moe Injury & Accident  
Attorneys at 1-866-CALL-MOE or visit us at

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