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After an accident there are so many questions and “what-ifs” that go through our minds, that I have put together a list of some of the most recurring questions I get from new clients who have been involved in an accident.

FREQUENTLY ASKED QUESTIONS:

Q. What is a Personal Injury?

A. A Personal Injury (PI) is any physical or mental injury to a person suffered as a result of someone's negligence or harmful act. Many insurance companies refer to Personal Injury as **Bodily Injury (BI)**.

Q. Are auto accidents the only type of Personal Injury?

A. No. Auto accidents are the most common type of Personal Injury recognized by the general public. Along with auto accidents, Personal Injury law also includes boat accidents, airplane crashes, slip and falls, dog bites, defective products, medical malpractice, and semi truck accidents, to name a few.

Q. What should I do after an accident?

A. **The most important thing to do is to get well - see your doctor and follow your doctor's orders.**

Do not discuss the accident or give a statement to the insurance company or attorney for the "at fault" driver. Remember: *WHAT YOU SAY CAN AND WILL BE USED AGAINST YOU!* Instruct them to call your attorney or your insurance company.

Q. What should I do if an adjuster from the "at fault" driver's insurance company calls me?

A. **Do not speak with the adjuster. Refer the adjuster to my office. Also, do not speak with the attorney for the "at fault" driver.**

Q. I'm not the lawsuit type and we all make mistakes. What are my options?

A. Most Personal Injury claims do not become lawsuits. After you are recovered from your injuries, a demand for damages should be submitted to the insurance company for the "at fault" driver. In most cases, I (with your approval) and the adjuster negotiate a fair monetary settlement for your injuries based on the facts and circumstances surrounding your injuries. These negotiations do not "settle" a claim until you have "released" the other driver, so until you sign the release of claims there has not been a settlement.

Q. Will the insurance company for the "at fault" party pay for my doctor bills as they are incurred?

A. No. It is your responsibility to handle your medical bills. The cost of your medical treatment is factored into the lump settlement offered to you.

Q. How can I handle my medical bills until my case is settled?

A. Depending on state law and the type of insurance coverage in your policy, your medical bills can be paid under your Personal Injury Protection (PIP) coverage, your Medical Payments Coverage (MPC), your health insurance coverage, or your Worker's Compensation plan, if applicable. Although under most policies providing these types of coverage, the insurance company is entitled to reimbursement from the settlement funds of your Personal Injury claim for the medical expenses actually paid on your behalf. For people with no insurance and who are/or are unable to pay for medical services, if prior arrangements are made, there are doctors, hospitals, and other medical care providers that will agree to be paid out of settlement. Generally, you will be required to sign a lien against your settlement funds to secure medical care if payments for medical bills are to be paid out of a settlement or verdict (court award).

Q. I'm a working person, how can I afford an attorney?

A. In most Personal Injury cases, I accept a case on a contingent fee basis.

Q. What is a contingent fee?

A. A fee is contingent when it is conditioned upon your attorney's successful resolution of your case and is often referred to as: "No fee unless you collect money." A contingent fee is paid as a percentage of your monetary recovery (either settlement or court award). Eric Gruetzner, P.C., never charges an attorney fee for a Personal Injury case unless we obtain a recovery for our client. Our fee is a percentage of the recovery and if a recovery is not made for the client, then the client owes Eric Gruetzner, P.C. nothing. Contingent fees refer to the expenses you incur for an attorney to represent you. They have no connection to your medical expenses or your ability or obligation to pay your medical expenses from the accident.

Q. How long will it take to settle my claim?

A. There is no set answer. All cases are different. The more complex the case, and/or the more serious the injuries, and/or the more money at stake for the insurance company, the longer it will take. In most cases, the settlement process starts when your doctor releases you from treatment. Assuming your doctor has all of your accident-related records, your demand to the insurance company could be forwarded within five to ten business days. It may take the adjuster three to six weeks to evaluate your claim and make an initial offer. Once the initial offer is made, it's a matter of both sides negotiating a dollar amount that is reasonable and acceptable to all parties. If your claim cannot be settled and a lawsuit is necessary, then I would file a lawsuit to preserve your legal rights to recover for your injuries.

Q. What is the value of my claim?

A. Until all the information on your injuries is available and all the facts of your case are known, the value of your case is unknown. Attorneys are prohibited from promising that they will obtain a certain amount of money for you. If an attorney promises you that he or she will win a certain amount of money for your case, seek out another attorney immediately. It is an ethical violation for an attorney to predict the outcome of a case as an inducement to you to become a client. I tell my clients that the value of any claim is based upon all of the information available, and right after the accident happens, there are still many unknown questions about the severity of your injuries, the duration and nature

of your treatment, and what future impact, if any, that injury will make upon your day to day life.

Q. I don't need to hire an attorney. I can trust the adjuster to help me. Their TV ads say that are my friend, that I am "in good hands," or that they "are on my side." Right?

A. Insurance companies spend a lot of money on friendly advertising asking you to think of them as a good neighbor you can rely on to lend you a helping hand. The "at fault" driver's insurance company is very experienced at handling auto accident claims. **The adjuster's goal is to settle your claim as cheaply as possible.** Unless you are an experienced claims adjuster, you should hire an Attorney to represent your interests (to be your Advocate). Why would you shortchange yourself and your claim?

Q. What experience do you have that will help me resolve this case?

A. During my years as an attorney I have represented hundred of accident victims hurt in various types of accidents, from auto accident and slip and falls, to dog bites and electrocutions. I previously worked at one of the largest personal injury firms in Texas after law school, and in early 2005 opened my own law practice where I dedicate my time and attention more to my clients and less to a "firm's" procedures and practices. **Additionally, I know the insurance claims business. I was a commercial casualty insurance adjuster prior to becoming an attorney, and during that time I not only learned the insurance policies well, but learned the "insurance industry practices" in settling claims.** I have been on both sides and I know well how the accident claims coverage and settlement practices work. **Let me put this unique experience to work for you!**

Q. What makes your office different than all of the hundreds of lawyers I see on TV and in the phonebook?

A. As you know, TV ads are EXPENSIVE, and so are those huge phonebook ads, so it is common for the large firms that advertise on television and phone books to also have large caseloads of clients. I do not. **I am a small firm dedicated to personal attention on each and every case.**

Q. Won't I get a better settlement (i.e. more money) if I hire one of those big firms I see on TV?

A. In my experience as both an attorney and as an insurance adjuster, NO, actually the opposite is often true, that better settlement offers go to the smaller firms.

Q. Why do I keep hearing that it is difficult to get fairly compensated?

A. Probably because insurance companies do not make it easy! I can tell you that you would be wise to call me and have us sit down and discuss all of the evidence and elements of your claim. You have nothing to lose...and potentially a lot to gain!

Q. How can I "make" the insurance company do the right thing and pay for the damages their driver caused?

A. You can enforce your rights in court, via a lawsuit filed by a skilled and experienced attorney.

Q. I was severely injured in a slip and fall at a store and I have spoken to a lot of lawyers after the accident and none of them seem too interested in my case, why?

A. Quite simply, slip and fall cases are difficult and the law covering slip and fall cases in Texas is unfriendly to a slip and fall victim. However, that is where hiring the right attorney can make a world of difference. Hire someone with experience and success.

Q. How much will I get for "pain and suffering"?

A. Just like assessing the total value of a claim, pain and suffering is an element that depends on a number of facts that we will discover together during the life of your case. I will be with you every step of the way to help you recover your pain and suffering damages.

- Q. My friend settled an injury case about 10 years ago and he got a lot of money and he wasn't injured that much I think, I even was taken to the hospital by ambulance in my accident, so won't I get a lot of money from this accident?**
- A. It seems that no two accidents are exactly alike, just like divorces, there can be thousands of different experiences and different evidence. What you should do is sit down with your attorney and discuss the facts of your case, and what those facts mean to you.