



## HOW SOON WILL I RECEIVE MY MONEY AFTER THE SETTLEMENT?

Texas has prompt payment statutes that require the other party's insurance to pay you within five business days after the insurer receives the demand for payment. The check is sent to your attorney, who deposits it in your client trust account. This can take a few weeks to clear. Once it has cleared, your attorney will remove his or her fees and will be able to provide you with a check for the remaining amount.



## SHOULD I ACCEPT THE INSURANCE COMPANY SETTLEMENT?

If you do not have an attorney, it is likely that the insurance company is attempting to take advantage of you by offering the bare minimum. When an experienced attorney represents you, the insurance companies know that they have to give you a fair deal or they risk litigation.



## CAN I GET PAID FOR MISSED TIME AT WORK?

Many individuals who file a car accident claim receive compensation for lost wages due to injuries sustained in the accident. The time they were compensated for varies depending on the severity of the injuries and any lasting pain or disability they experienced that prevented them from returning to work.



## WHAT DO I DO IF THE OTHER DRIVER DOESN'T HAVE INSURANCE

Even when the other driver doesn't have insurance, you can still file a claim with your own insurance company. Many car insurance policies have an uninsured motorist (UM) or underinsured motorist (UIM) policy. While you are dealing with your own insurance company, getting compensation can still be very difficult. The insurance company will often fight tooth and nail to prevent paying any more than the minimum.



## HOW LONG WILL MY PERSONAL INJURY LAWSUIT TAKE?

A personal injury lawsuit can take anywhere from a few months to a few years. It is highly dependent on the facts of your case, cooperation of the other party, and if or when the insurance company settles.



## HOW SOON AFTER THE ACCIDENT SHOULD I GET A LAWYER?

**Short answer: as soon as possible.** After you have been involved in a car accident, the court's clock starts ticking because of a "statute of limitations." This means you must file your case within the time legally allotted, or you give up all rights to sue the negligent party for compensation. In Texas, the statute of limitations for injuries is two years.



## SHOULD I SPEAK TO THE POLICE WHO ARE AT THE SCENE OF THE ACCIDENT?

**If you were injured in a car accident due to someone else's negligence, then you should speak to the police about the facts.** Gather the name(s) of the police officer(s) who responded and write down their contact information. Ask when the police report is available so you can get a copy. Getting a copy of the police report is useful for your lawsuit. If you were intoxicated, driving recklessly, or feel you were at fault for the car accident, you should not speak to the police without your attorney present.



## TERMS YOU NEED TO KNOW FOR A CAR ACCIDENT CASE

### ***Comparative Fault***

**Comparative fault is a concept that parties should share responsibility for an accident. It is not very often that someone is 100% at fault for an accident.** In Texas, as long as you were less than 50% at fault, you can still recover. Your compensation will be reduced in accordance with your percentage of fault. That percentage will be determined by the court after you and the other side present the facts of your case.



## GENERAL DAMAGES VS. SPECIAL DAMAGES

**These are the main damages that you would receive compensation for in a personal injury case. General damages are the damages that flow naturally from the car accident.** There is a direct link between the damages suffered and the car accident. These would include pain from the injuries suffered, mental anguish, etc. Special damages are losses the plaintiff suffered that can be adequately calculated. These include medical bills, lost wages, damaged property, etc.



If you have been involved in a car accident and have questions about legal terms, call Todd R. Durham today.

**Call (972) 362-0046 to schedule your initial consultation.**

**PERSONAL INJURY LAWYER:  
TODD R. DURHAM**

NO FEES, NO COURT COSTS, NO EXPENSES...  
UNLESS YOU RECOVER!