



Should I Handle My Own Injury Claim?

WORKSHEET

Ask yourself these questions to help decide if you should handle your own insurance claim. You can always seek a free attorney consultation if you aren't sure about the strength of your case or the value of your claim.

Indications You Can Handle Your Own Claim

If you can answer YES to these questions, you can probably handle your own injury claim:

- Are you fully recovered from relatively mild injuries?
- Has the insurance company accepted liability for their insured?
- Do you know what your claim is worth?
- Are you comfortable negotiating?
- Do you have a doctor's note for missed work days?
- Do you have proof of lost wages?
- Do you have all your medical bills and receipts for out-of-pocket expenses?

Indications That You Need an Attorney to Handle Your Claim

If you can answer YES to any of the following questions, you will probably need an attorney to get fair compensation:

- Are your injuries severe, disabling, or permanent?
- Will you need surgery or other treatment in the future?
- Were multiple people injured?
- Is anyone blaming you for causing or contributing to the accident/your injuries?
- Do you have a pre-existing condition worsened by the incident?
- Is this a malpractice or product liability claim?
- Is the injury victim a minor child?



Notes:

Should I Handle My Own Injury Claim?

Know the true value of your claim. Minor injury claims are typically worth the total of your hard costs, with 1 to 1.5 times that amount added for “pain and suffering.” You are more likely to be successful in handling your own claim if your demand for compensation is reasonable.

Negotiations take time and advanced preparation. If you don’t have the time or temperament to organize your evidence, and go through a few rounds of negotiations to reach a settlement, you should let an attorney handle your claim.

Other factors to consider when deciding how to proceed with an insurance claim depend on the type of accident that caused your injuries.



Tips on Handling Car Accident Claims

- If you are in a no-fault insurance state, minor injury claims can usually be made to your insurance company on your own.
- If you’re in a no-fault state with injuries exceeding the state “threshold”, you’ll need an attorney to make your claim against the at-fault driver’s insurance company.
- Multi-vehicle accidents usually require an attorney to protect your interests because of cross-claims between several parties.



Tips on Handling Slip and Fall/Premises Liability Claims

- Slip and fall claims can be hard to handle on your own because you’ll have to prove the property owner was negligent. You’ll need strong evidence like pictures and witness statements.
- Large chain stores and other commercial businesses have aggressive defense attorneys ready to fight injury claims. They may offer you a modest settlement to cover your bills, but will likely not be willing to negotiate further unless you have an attorney.
- You won’t be able to get important evidence like incident reports or surveillance camera film without a subpoena.
- Relatively minor injuries that occur at someone else’s house can usually be settled directly with their homeowner’s insurance company - if the homeowner will cooperate.



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