

**6. You can settle the property claim for your car.** If you suffered a personal injury and your vehicle was damaged, you have two claims: one for property damage to the car and the other for your bodily injuries.

It may be many months before your personal injury claim is resolved. It is generally premature to discuss settlement of your claim until you have recovered to the greatest extent possible. You can, however, resolve your personal property claim. Be sure to settle only the personal property and not the bodily injury claim.

**7. Keep a journal.** Keep a journal of your injuries and what you go through. Did you need assistance with activities of daily living? What medical devices did you use? For how long? Our memories of difficult times fade.

**8. Hire an attorney unless your case is very simple.** If your medical bills are minor and you have completely recovered, you may be able to get a reasonable settlement from the insurance company without an attorney. In many cases, however, an insurance company will make only lowball offers if you are not represented by an attorney.

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*"Maximizing Recoveries for Client's Personal Injuries"*

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*8 Secrets to Top  
Dollar Recovery for  
Your Personal Injuries*

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## *You were injured in an auto accident ...*



Personal injury claims require full documentation.

and it was not your fault. To maximize your financial recovery, there are things you must do and other things you must not do. The following points are

intended to provide some guidance in obtaining maximum recovery for your claim.

**1. Go to the doctor. Do not delay.** If you are injured, you must go to the emergency room and follow up with your regular physician. Follow all medical recommendations. An insurance company is not going to take your claim seriously if you did not even see a doctor. It is also difficult to document your injuries if there are no contemporaneous records of your condition after the wreck.

**2. Take photos of the cars and of your injuries.** Cars can

be totaled and disappear. Good quality photos can show the point of impact and assist an accident reconstructionist to support your statement of what happened. Your bruises and injuries will heal over time. Without photographs, it may be hard to demonstrate how badly you were injured. Continue to take photographs as you recover.

**3. Notify your insurance company and the insurance company of the driver at fault.** This action should be taken without undue delay. If the negligent driver had no insurance, or inadequate policy limits, you may have to file an uninsured or underinsured claim with your insurance company. If you fail to provide timely notice, your claim may be refused or undervalued.

#### **4. Do not sign a Release or**



Do not sign any instrument unless certain of its legal significance.

**Waiver.** Refuse to "give a statement" or discuss the accident and your injuries and medical treatment with the insurance adjuster. They will record your conversation and attempt to use anything in their favor against you. Tell them that

you, or your attorney, will file a written claim at the appropriate time. Adjusters appear to be sympathetic, but their sole goal is to minimize what they pay you.

#### **5. Document your case.** Get a



Keep a written list of all physicians and other medical providers.

copy of the accident report. Write down any admissions the other driver made to you or someone

else at the accident scene (e.g. "I didn't see you. It was my fault.")

Get names and addresses of any witnesses. Witness statements may be needed at trial to support your view of how the accident happened.

Keep a list with the names, addresses and phone numbers for all health care providers and the dates and cost for each visit. List all doctors, hospitals, physical therapists and chiropractors. Write down the pharmacies from which you got prescriptions. It can be very difficult to assemble complete information at a later time.