

Case Evaluation – Car Accident

Comment: This form simply lays out some of the most important factors that insurance companies look at when evaluating injury claims. As each case is unique to its facts, this form is for general informational purposes only, and the use of this form does not create an attorney client relationship with Dwyer Williams Potter Attorneys, LLP. In fact, we at Dwyer Williams Potter strongly recommend that an injured person consult with an attorney before beginning negotiation of their claim.

Type of Case: Driver: Passenger:

Good Liability: Y N _____

Police Report: Y N _____

Citation: Y N _____

Comment: The other party must be legally at fault to recover. If you have a police report, and the other party is cited, then that makes for a strong liability case.

Hard Impact: Y N _____

Property Damage: Y N **Amount:** \$ _____

Comment: Insurance companies take the position that if there's not a hard impact and/or significant property damage, then there's no injury. In fact, the insurance company's motto is often: "No crash, no cash."

Type of Injury: _____

Comment: Insurance companies take soft tissue injuries, such as whiplash injuries, less seriously than injuries involving broken bones or surgery.

Immediate Treatment: Y N _____

Ambulance: Y N _____

Medical Doctor: Y N **Chiropractic:** **Massage:** **Acupuncture:** **Other:** _____

Consistent Medical Records: Y N _____

Gap in Treatment: Y N _____

Still Treating: Y N _____

Amount of Medical Bills: \$ _____

Future Medical Bills: \$ _____

Comment: A delay in treatment allows the insurance company to argue that you were not hurt at the scene, or not hurt as bad as you actually are. Insurance companies put more stock in medical doctors, as opposed to chiropractors or acupuncturists. Generally, your case lives or dies on the medical records. A gap in treatment allows the insurance company to argue that you weren't hurt bad enough to necessitate medical care. Generally, the amount of reasonable and necessary medical bills is tied to the value of the case.

Length of Pain and Suffering: _____

Disability: Y N _____

Permanency: Y N _____

Comment: The longer you have symptoms, the more valuable your case may be. If you have a disability and/or permanent injury solely caused by the accident, this significantly increases the value of your case.

Independent Medical Exam: Y N _____

Priors/Pre-Existing: Y N _____

Comment: If you have had a medical examination at the request of an insurance company, and the opinion of the doctor is adverse to you, this may decrease the value of your case. Prior injuries or pre-existing conditions of the same body part can significantly decrease the value of your case.

Employed: Y N **Wage Loss:** Y N **Off-Work Slip:** Y N

Amount of Wage Loss: \$ _____ **Outstanding Wage Loss:** \$ _____

Comment: If you are employed, and you have significant wage loss, this greatly increases the value of your claim.

Value of Claim: \$ _____

Opening Offer: \$ _____

Comment: The insurance companies are in the business of evaluating cases, and each adjuster evaluates hundreds of cases a year. This is why you are at a disadvantage when attempting to negotiate a case yourself. It doesn't take much expertise to recover \$10,000 on a \$50,000 case, or \$25,000 on a \$100,000 case. However, it does take expertise to recover the full value of your case! We at Dwyer Williams Potter evaluate, settle, mediate, arbitrate, and go to trial on over 250 cases per year.