The Timeline of a Car Accident Claim

A car accident claim moves through stages that can take months or longer. The property damage part often resolves within weeks, while the injury claim usually waits until medical treatment has run its course. A car accident attorney can explain where a given claim stands, though every claim is different.

The first hours and days

Medical care comes first, even when injuries seem minor at the scene, and the records made that day often become important evidence. Responding officers usually prepare a crash report, and the report number is used to request a copy. Most auto policies require prompt notice to the policyholder's own insurer, even if the other driver was at fault. Photos of the vehicles, the scene and any visible injuries are easiest to take early, and dashcam files should be saved before they are recorded over.

Repairs and the first calls

The vehicle is repaired or declared a total loss, and the insurer pays for repairs or the actual cash value. Diminished value may be claimed in some states. The other driver's adjuster may request a recorded statement or make an early offer. Many people consult a car accident attorney at this point, before signing any release. A preservation letter can ask that video and event data recorder (EDR) data be kept.

Treatment and documentation

During treatment, the medical records and bills are collected, along with proof of lost wages. Many claims are not valued until the injured person reaches maximum medical improvement, meaning the point at which doctors can describe the long-term outlook. A car crash attorney then prepares a demand package for the insurer with the medical records and bills plus a damages summary. In some caraccidentlawyers.wiki states, time-limited settlement demands must follow statutory rules.

Settling before treatment ends

Once a release is signed, the claim is usually over for good, including any future medical costs tied to the crash. When a doctor expects surgery or ongoing care, those future costs are usually estimated before a demand goes out. A written opinion from the treating doctor can document them, and serious cases sometimes use a life care plan. Settling too early can leave those costs unpaid, while waiting too long risks missing the filing deadline.

Lawsuit and discovery

The adjuster may accept, reject or counter the demand. If the claim does not resolve, the next step is usually a lawsuit, which must be filed before the statute of limitations expires. Each state sets its own deadline, and claims involving a government agency may require written notice much sooner. Discovery brings written interrogatories, document requests and depositions, and the defense may ask for an independent medical examination. Many courts order mediation before trial, and most cases settle rather than reach a verdict.

Resolution and payment

Settling a claim usually means signing a release. Before funds are paid out, liens from Medicare, Medicaid or health plans may need to be resolved, and settlements for minors may need court approval in many states. A car accident attorney should provide a written closing statement that shows the fee, the costs and the net recovery. This timeline is general information, not legal advice, and it cannot predict how long a particular claim will take.