



TEXAS

CAR  
ACCIDENT  
GUIDE

*What To Do If You're Seriously  
Injured In A Car Accident*

**Chavez Law Firm**  
EL PASO'S PERSONAL INJURY LAW FIRM



When you are involved in a car accident, your life can be seriously affected in a very negative way. You might have serious injuries and damages that deserve full and fair compensation. Our El Paso car accident lawyer will guide you through your case successfully.

After you have read more here about car accidents in El Paso, please do not hesitate to call Chavez Law Firm today to set up your free, initial consultation. These cases are complicated and you want to ensure that you have the right lawyer representing you.

## How Car Accident Compensation Works in Texas

When you have been seriously injured in a car accident, there are a few things that you need to understand before you should call a lawyer about your case. You are seeking compensation for your injuries and damages. Generally speaking, the more severe your injuries are, the more your compensation will be. Additionally, you can get economic and non-economic damages.

The economic damages are the ones that are easily calculated:

- Past and future medical expenses
- Past and future lost wages

You can typically look at medical receipts, pay wages, and lost hours in order to calculate to the penny how much money was lost.

The non-economic damages are harder to calculate and include:

- Past and future pain and suffering

Pain and suffering is a damage that does not have a dollar amount attached to it. It needs to be determined. When determining the amount of non-economic damages you are owed, there are a lot of factors that come into play. If you are not able to do the things you used to do, you cannot return to the same line of work, or you have a decrease in your quality of life, then that is taken into consideration.

Once there is a dollar amount determined, there is one more factor that goes into how much you can collect. In Texas, we follow something called modified comparative negligence, which means the role you played in causing the accident will affect your compensation award. Texas does allow you to collect an award even if you are partially at fault. The way modified comparative negligence works is as follows:

- If you are 0% at fault, your compensation is unaffected
- If you are 1% - 50% at fault, you have a reduced compensation award
- If you are more than 50% at fault, you will not be allowed to collect compensation

The fault that you have in the accident will be determined during insurance negotiations. For example, if someone was speeding a little bit while they were driving, but got hit by someone blowing a red light, they might be deemed 10% at fault. If someone with 10% fault was awarded \$100,000 in damages, then it would have to be reduced to \$90,000 to account for their role in the accident.

## Avoid Case-Ruining Mistakes in Your Car Accident Claim

If you have sought out compensation from the liable party's insurance company, you will likely be getting phone calls from them asking for a recorded statement from you. It is not in your best interest to give them one. When they get recorded statements from people, they are trained to ask questions in a way that could lead to that person giving an answer that could ruin their case. Anything you say, they can use against you.

To protect yourself from slipping up and saying something wrong, it is beneficial for you not to give them a recorded statement at all. You are in no way obligated to give them any kind of statement. Instead, you can have your El Paso car accident lawyer take over all communication with the insurance company. They will be able to protect your right to full and fair compensation.

## Texas Car Accident Statute of Limitations

These cases can be complicated and you do not have an unlimited amount of time. Texas allows two years from the date of your car accident to bring your claim. If you do not bring your claim within two years, you will be barred from receiving compensation.

There is a lot of time sensitive stuff in a car accident claim such as evidence at the scene of the crash, testimony from the witnesses before they forget, and avoiding making mistakes that you might not know about if you don't have a lawyer yet. The sooner you hire an El Paso car accident lawyer, the more successful your case will likely be.

## Frequently Asked Car Accident Questions

**How Should I Choose a Car Accident Attorney?**

People often call our firm with questions about what to do when they have been involved in a car accident. What can be done under these types of situations? How does a client, under these circumstances, go about finding the right attorney for this type of case?

The most important thing that a client in these circumstances can do is make sure that they talk to a lawyer with a lot of trial experience in this specific area of law. Although it may seem straightforward, this area of the law requires a lot of experience. Building a strong case involves a number of factors, including getting the right type of experts and the right kind of medical treatment. You also want to be able to explain to a jury how the defendant violated the safety rules of the road.

It's very important that a potential client or somebody in these circumstances look for a trial-experienced attorney. We at the Chavez Law Firm have this type of experience. We are trial-experienced lawyers, and we are here to answer any question you have about your case.

### **What Are Common Mistakes After a Car Crash?**

A common mistake that people make when they get into a car crash is not immediately calling the police; another one is not going to seek medical treatment soon thereafter. Perhaps the worst mistake of all is talking to the insurance company adjuster before talking to an experienced trial-ready lawyer. Insurance companies are in the business of making money for themselves and for their shareholders. They're not in the business of paying out compensation for those that have been injured, and they have an agenda when they reach out to you.

We here at the Chavez Law Firm are experienced trial lawyers. We welcome your questions. We're here to answer your questions. Please give us a call and we'll help you in answering those questions as best we can.

### **How Do You Determine the Value of a Car Accident Claim?**

Clients often ask us how they can determine the value of a car wreck case. One of the factors that goes into determining the value of a car crash case is how bad the defendant's conduct was in causing the injury. For example, a driver being seriously inebriated obviously adds to what the case is worth. If you have a defendant driver who chooses to run a red light or tries to beat a yellow light, those are also factors that go into determining the value of a case. Other factors include medical expenses and how much a client has suffered emotionally and physically in terms of trauma as a result of their injuries.

If you have any questions about the value of your case or how to determine how much your car wreck case is worth, please give us a call at the Chavez Law Firm. We will answer your questions and are happy to do so.



## What Do You Do for a Distracted Driving Crash?

A number one reason for car crashes in Texas and across our nation is distracted driving. You've probably seen it yourself – the driver beside you on the road is distracted because they're texting or looking at something on their phone.

We at the Chavez Law Firm know how to look for that type of evidence. If you believe you were involved in a wreck in which a driver was distracted and caused serious injuries to you or your family, please give us a call; we're happy to help and answer any questions you have in that regard.

## How Do I File a Claim Against a Drunk Driver?

Sometimes, clients reach out to us because they or their loved ones have been hit by a drunk driver. Obviously, drunk driving is one of the most horrendous and serious types of crashes that can occur. We here at the Chavez Law Firm handle cases against drunk drivers and are experts in this area.

We know that these types of cases are serious, and we give them the attention and resources that they deserve – serious attention and resources. If you believe that you have been involved in an accident related to the influence of alcohol or drugs, please give us a call. We're happy to answer any questions that you have in those types of situations, and we are happy to help as best we can.

## Should I Give a Recorded Statement After a Car Accident?

After a car crash, it is never a good idea to give a statement to the insurance company's adjuster. Insurance companies are not in the business of paying out compensation to other people who have been injured. They're in the business of making money for themselves and for their shareholders. Additionally, it's been our experience as a firm that insurance companies at times have doctored statements and transcripts that people have given them to win a case.

To avoid these scenarios, you need to talk to an attorney who is experienced in this area of the law to guide you through that process. We here at the Chavez Law Firm have the necessary trial experience, and we are ready, willing and able to answer all the questions that you have concerning your case. Please give us a call; we're happy to help.

## What is Lost Wage Reimbursement?

If you have questions about how to get fully compensated for your lost wages as a result of a negligent driver, please give us a call at the Chavez Law Firm. We will be happy to answer your questions.

### **What If the Other Driver Has No Insurance?**

On occasion, the other driver in a car wreck does not have liability insurance. Under those circumstances, we ask the client to bring in all of their own insurance documentation and what we do is we look for uninsured motorist coverage. Uninsured motorist coverage in Texas covers these sorts of situations.

Sometimes, the other lies about their insurance status or employment status. A driver on the clock during an accident may well be covered by employer insurance. That is something that we at the Chavez Law Firm know to look for. The other driver not having insurance isn't the end of the story.

We are happy to answer any question that you might have about your case or about your situation. Please give us a call. We are happy to help you in that regard in any which way we can.

### **What Steps Do I Take After a Car Accident?**

If you're in a serious car crash here in El Paso, the first thing you should do – if you can and are able – is get as much information as you can from the other side, including insurance information and contact information. Also, make sure you get as much information from the police officers at the scene and witnesses as is possible. Additionally, you need to seek medical attention immediately so that we get a snapshot early on of what your injuries seem to be.

We here at the Chavez Law Firm are experienced trial lawyers in this area of the law, and we are here to answer your questions. All you have to do is give us a call, and we'll be very happy to answer your questions and help you any which way we can in that regard.

### **What is the Timeline for a Car Accident Injury Case?**

We often get this question from clients: How long is my car wreck/car crash case going to take to get resolved? There are a lot of factors that go into how long a case takes. First and foremost is how long medical treatment takes. If their treatment takes a year, then you have to factor in at least a year before we can, in earnest, start to push the case. We need to have a complete picture of where they are in terms of their health and their injuries and what their medical expenses are, so that is a big factor that goes into it.

Rest assured that at the Chavez Law Firm, we, will push your case as

quickly and efficiently as possible, with the goal of maximizing the outcome. If you have any questions about your car crash/car wreck case, please give us a call. We'll be more than happy to answer your questions and help you any which way we can.

### **Who Pays My Medical Bills After a Car Accident?**

Many clients are concerned about medical expenses and who is going to pay for those medical bills in the aftermath of an accident. The goal is always to make the insurance company of the negligent driver pay for those medical expenses. The first step in accomplishing that goal is hiring a trial team – lawyers with trial experience in this area of the law. We here at the Chavez Law Firm have that type of experience and, on a daily basis, help our clients go through the process needed to get full and fair compensation for medical expenses.

If you have questions in this regard, please give us a call. We're very happy to help you.

## **Call Our El Paso Car Accident Lawyer Today**

You deserve to have strong, dedicated, and experienced representation for your case. Our El Paso car accident lawyer is here to guide you every step of the way to get you the results you need. Please call Chavez Law firm today to set up your free, initial consultation.

### **About the Authors**

At Chavez Law Firm, community safety is our passion. Each El Paso lawyer with the firm works to uphold the laws and community safety rules that have been put in place for everyone's protection. Individuals who break the law or act against safety regulations should not get away with causing physical or emotional harm to others. Our lawyers readily take on cases of all kinds, build them up, and present strong arguments in order to maximize each client's compensation.

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