



TEXAS

TRUCK
ACCIDENT
GUIDE

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

Chavez Law Firm
EL PASO'S PERSONAL INJURY LAW FIRM



A truck accident can change your life, if you suffer serious injuries. If this has happened to you, you can get compensation for your injuries and damages from the liable party's insurance company. Our El Paso truck accident lawyer at Chavez Law Firm is here to guide you through your case every step of the way to ensure that you are getting the most compensation possible.

Common Types of Truck Accident Injuries

Truck accidents are not going to be the same from case to case. No two accidents are identical, so you want to make sure that your lawyer has experience handling truck accidents and that they know what to look for. For example, there are many different kinds of injuries that can happen.

You may experience injuries like:

- Scarring and disfigurement
- Broken bones or fractured bones
- Concussion
- Spinal cord injury
- Traumatic brain injury
- Internal organ damage
- Head, neck, or back injury

No matter what type of injury you have, you need to take it very seriously and seek immediate medical attention. You do not want to attempt to brush off the injuries.

If you wait to see a doctor, the insurance company will look at your case and grow suspicious. They will try to say that they owe you less (or even no compensation) because you waited to see a doctor and were not actually injured as badly as you say you were. They may even suggest that you did not get the injuries from the accident with their insured.

How Truck Accident Compensation Works in El Paso

When you seek compensation for a truck accident, you are asking the liable party's insurance company to compensate you for your damages. That includes compensation for:

- Your past and future medical expenses
- Your past and future lost wages
- Your pain and suffering

The medical expenses and lost wages are a calculable amount of money that is fairly easy to figure out, once you have an understanding of the extent of the injuries. Pain and suffering, however, is considered a non-economic damage, and is harder to put a number on.

Once there is a compensation award determined, the role you played in causing the accident has to be factored in, too. Every state has different laws that determine how much you can collect for the amount of fault you had in the accident. Texas is a modified comparative negligence state. That means:

- You can collect a full award if you are 0% at fault;
- You can collect a reduced award if you are 1% - 50% at fault;
- Or, you cannot collect an award if you are more than 50% at fault.

If you were to be deemed 20% at fault for your truck accident and you were given a compensation award of \$10,000, you would have that reduced to \$8,000 to account for your role in causing the accident. Our El Paso truck accident lawyer will work hard to prevent your compensation award from being reduced.

Texas Truck Accident Statute of Limitations

When you are filing a lawsuit, you do not have an endless amount of time. You have to adhere to a strict timeline in which you are allowed to bring your case or have it settled in civil court. Texas law allows victims of truck accidents two years from the date of their truck accident to bring their claim.

If someone were to approach a lawyer about their truck accident claim with a week left in their statute of limitations, that lawyer probably would not be able to help you. These cases take some time to develop and build. They also involve some time-sensitive factors. If you wait almost two years to pursue a case, there may be no evidence left of the accident. Witnesses may have gone missing, the vehicles may have been fixed, and you may have made some big errors along the way.

The sooner you get to a lawyer about your case, the better. You want to give them as much time as possible to make sure that you are on track to have a successful case. You also want to be able to do everything right from the beginning, which a lawyer can help ensure.

Frequently Asked Truck Accident Questions

How Do I Choose a Truck Accident Attorney?

Chavez Law recently met with an entire family who came in after they had

lost their loved ones as a result of a trucking crash incident. These are very, very difficult cases emotionally. The most important thing that a family or a person who was involved in this type of situation can do is to look for and hire a trial attorney with experience in these types of cases.

We at the Chavez Law Firm have extensive experience in these types of cases. We know what to look for and we know the experts that are required for prosecuting a case such as this. If you have any questions about the process or if you need guidance in navigating such a situation, please give us a call at the Chavez Law Firm. We will give you the attention that you deserve and answer all the questions that you have concerning such a serious matter.

What Are Some Common Mistakes After a Truck Accident?

Some of the most common mistakes that we see after a trucking accident or collision is clients not seeking immediate medical attention for whatever reason. Second of all – and this is probably the most important one – is that they do not seek the assistance of an experienced trial lawyer in this area of the law. It is important to have an experienced hand guiding such a complex process. An experienced attorney knows to hire the experts needed to do an immediate crash reconstruction of the scene and how to take photos and videos of the vehicles involved in the scene.

We at the Chavez Law Firm are experienced in this area of the law and we are ready, willing and able to answer any question you have in this regard.

How Do You Determine the Value of a Truck Accident Claim?

Oftentimes, the clients involved in trucking collision/trucking wreck cases ask how long these cases take. One of the factors that goes into how long these cases take is the amount of medical treatment that clients need. We at the Chavez Law Firm are experienced in guiding our clients through the maze of medical treatment that our clients need.

Another factor is one has to put together a persuasive case for the jury so that, if necessary, the jury can tell the negligent trucking company, or the insurance company that isn't coming to the table with full and fair compensation for our clients, what is full and fair compensation. We hire the experts necessary for proving our case, in terms of medical experts and the crash reconstructionist, and we're prepared for this from the very get-go.

If you have questions about your case, in terms of how to go through this process, please give us a call. We at the Chavez Law Firm have trial experience in these matters, and we're happy to answer any and all of your questions.



Should I Give a Recorded Statement After a Truck Accident?

Oftentimes when we have clients who have been involved in a serious trucking incident, they tell us that the representative for the trucking company or the trucking company's insurance company has been calling them wanting to take their statement. It is never a good idea to give a statement to the insurance adjuster or the trucking company's representative without first

talking to an experienced trial lawyer in this area of the law. The reason being is that insurance companies and trucking companies are not in the business of paying out claims to compensate those they have injured. They're there to make money for themselves and for their shareholders.

We understand this at the Chavez Law Firm. We understand the politics, so to speak, in play, and we guide our clients through the process, from the beginning to the very end. If you have questions with regard to this process or whether or not you should give a statement to the insurance adjuster or the trucking company's representative, first call us. We are more than happy to answer your questions and help you in this regard.

What If I Am Partially at Fault for a Truck Accident?

Sometimes we have clients who have come to us and we determine that they are partially at fault for a trucking collision. That's not the end of the story. Just because a client is partially at fault for a trucking wreck doesn't mean that the professional driver who drives for a commercial trucking company isn't at fault, as well. They are the professionals. They have a higher responsibility for the safety of all of us on these roadways because of this.

It is something that the Chavez Law Firm always has in mind. We know what the responsibilities of these trucking companies are. There are lots of regulations and rules that address this issue, and we are familiar with all of them.

If you have a question about your situation, we are here to answer your questions.

What Steps Should I Take After a Truck Accident?

If you're involved in a serious trucking wreck with an 18-wheeler or some other type of big truck, first and foremost, make sure you get immediate medical attention. Soon thereafter, it is important for you to find and hire an attorney who is experienced in these types of cases. We here at the Chavez Law Firm have experience in these types of cases. We know to hire

the experts to go out and do the accident reconstruction. We know how to guide our clients through the maze of medical doctors so that they get the medical treatment that they need.

If you have questions about your case, please give us a call. We're very happy to answer all your questions and help you as best we can in that regard.

What is the Timeline for a Truck Accident Injury Case?

When we have clients who have been involved in trucking wreck cases, they always ask how long the case will take. One of the factors that goes into how long it takes to resolve a trucking case such is medical treatment. We first have to, as a matter of practicality, wait for the clients to finish with treatment or get to a point where they've reached maximum medical improvement. Once they've reached that maximum medical improvement, we begin to more aggressively push the case forward.

Another thing that factors in is whether or not the trucking company is negotiating in good faith. If the trucking company and the insurance companies aren't negotiating in good faith, it's going to take longer. However, we at the Chavez Law Firm are prepared for this. From the very beginning of a trucking crash case, we immediately hire our experts to go out to the scene of the car wreck and survey the entire wreck to take pictures and videos of the scene and also of all the vehicles. We also guide our clients through the maze of medical doctors and medical treatment that they have to go through because these are usually such serious injuries. If you have questions or concerns about your case involving an 18-wheeler or other big truck, please give us a call at the Chavez Law Firm. We have trial experience in these types of cases and we're happy to answer any question you have in this regard.

Call Our El Paso Truck Accident Lawyer Today

After your truck accident, it is important that you get in touch with a knowledgeable lawyer right away. Our El Paso truck accident lawyer can defend your right to full and fair compensation. If you would like to set up a free, initial consultation, please call Chavez Law Firm today.

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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