The Timeline of a Car Crash Claim

Car accident claims move through stages that may take months or longer. The property damage part often resolves within weeks, while the injury claim usually waits until treatment has run its course. An auto accident lawyer can explain where a claim sits in this sequence, though every claim is different.

Right after the crash

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 needed 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 scene, the cars and any visible injuries *car accident lawyer* are easiest to get early, and dashcam files should be saved before they are overwritten.

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. Some states allow a diminished value claim. An adjuster from the other driver's insurer may ask for a recorded statement or offer an early settlement. Many people talk with a car crash lawyer at this stage, before signing any release. A preservation letter can ask that video and event data recorder (EDR) data be kept.

The months of treatment

While treatment continues, medical records and bills are gathered, 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 accident lawyer then sends the insurer a demand package containing the records and bills, along with a summary of damages. Some states regulate time-limited settlement demands by statute.

Settling before treatment ends

A release usually ends the claim for good, including future medical costs connected to the crash. When a doctor expects surgery or ongoing care, those future costs are usually estimated before a demand goes out. The treating doctor's written opinion can document them, and serious cases sometimes caraccidentlawyers.wiki 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 insurer may accept the demand, reject it or make a counteroffer. If negotiations stall, 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 against government agencies can require written notice much sooner. In discovery, the parties exchange written interrogatories and documents and take depositions, and the defense may request an independent medical examination. Many courts require mediation before trial, and most cases resolve by settlement rather than verdict.

When the claim resolves

Settling a claim usually means signing a release. Before money is distributed, liens from health plans, Medicare or Medicaid may need to be resolved, and in many states a settlement for a minor requires court approval. A motor vehicle accident attorney typically provides a written closing statement showing the fee, the costs and the net amount. This timeline is general information, not legal advice, and it cannot predict how long a particular claim will take.