What to Expect From the Insurance Adjuster After a Car Accident

After a car crash, most people deal with an insurance adjuster long before they think about a lawsuit. An adjuster evaluates the claim on behalf of the insurance company, and some common practices can lower what a claim is worth if they go unnoticed. Knowing these practices is one reason people speak with an auto accident lawyer before they sign anything.

Recorded statements and medical authorizations

An adjuster for the other driver may call within days to request a recorded statement. There is usually no obligation to give one to the other side's insurer, though a person's own policy may require cooperation with that insurer. Comments made while hurting or medicated can later be used to dispute the claim. Adjusters may also send broad medical authorizations that reach records unrelated to the crash. An auto accident attorney will often limit what is shared to records connected to the crash.

Quick offers and low-impact arguments

An offer may arrive before the full extent of an injury is known. Accepting it usually means signing a release that ends the injury claim. Insurers may argue that light vehicle damage means no one could have been hurt, or they may point to preexisting conditions and gaps in treatment. Many also raise comparative negligence, assigning a share of the fault to the injured driver.

When the car is repaired or totaled

A property damage claim usually moves faster than an injury claim. If the car can car accident lawyer be repaired, the insurer writes an estimate, and the shop may find more damage once the car is taken apart. Rules on aftermarket parts depend on the policy and state law. When repairs would exceed a threshold set by state law or the insurer, the car is declared a total loss. The insurer then owes the actual cash value, meaning the market value just before the crash. Listings for comparable vehicles can support a higher valuation, and gap insurance, if purchased, may cover a remaining loan balance.

Rental cars and loss of use

While the car is being repaired, the at-fault driver's insurer may owe the reasonable cost of a rental or payment for loss of use. The length of that period is often disputed, especially when parts are back-ordered or the inspection is delayed. Rental coverage under a person's own policy usually has a daily cap and a limit on the number of days. Receipts and a log of calls with the adjuster help support the claim.

Diminished value

Even after a good repair, a car with a crash history often sells for less. That difference is called diminished value. Whether it can be recovered depends on the state and the type of claim. Claims against the at-fault driver's insurer ***car accident lawyers reviews*** are more commonly allowed than claims under a person's own policy, which may exclude it. A written appraisal and the vehicle history report can document the loss. An automobile accident lawyer will know the rule in the state where the crash happened.

Complaints and general information

Each state has an insurance department that takes consumer complaints, and some states have bad faith laws for unreasonable claim handling. This is general information rather than legal advice, and no article can promise a particular result.