

Injury Cases

Iowa Divorce Lawyers Individuals sustaining personal injuries through the fault of others frequently have questions as to how to adequately protect themselves through the legal process. This newsletter contains frequently asked questions and answers.

QUESTION NO. 1: How do I find a lawyer to help me with my injury case?

Since you are here reading this letter, you have obviously found our firm. The first step would be to contact a lawyer. We would like for you to contact us.

QUESTION NO. 2: How long does it take to complete a case?

We cannot, with certainty, state how long various stages of the case will take or if the case will actually go through trial or appeal. Each case is different, and even similar cases do not always take the same length of time. There is discovery, settlement negotiations, and preparation for trial. This can take months or even a couple of years in some cases. At times, there will be much more activity in a case than others. It is important for people not to become discouraged at the length of time it takes for a case to proceed through its final stages of trial or appeal. It is important to know from the start that the legal system does not move with lightning speed.

QUESTION NO. 3: What about keeping track of all of the medical bills?

It is important that you keep track of all hospital, doctor, prescription, and other expenses (medical or not) caused by your injuries. If you retain a lawyer, it is important that you inform him or her of this information. You also need to keep your attorney updated concerning your medical condition, doctor appointments, and out of pocket expenses associated with your injury. If you are being pressured to pay a bill by a collection agency, insurance company, or doctor's office, an attorney may be able to help you defer collection efforts. Do keep a complete list of the names and addresses of each and every doctor or hospital you see in connection with your injury. In fact, you should keep a record of all doctor visits, hospital visits, or therapy appointments. You should also keep track of who is paying for each visit, i.e., out of pocket, insurance, etc.

QUESTION NO. 4: What should I say about my case?

We suggest not discussing your case with other people more than necessary. Obviously, feel free to discuss your case with your attorney. Likewise, when meeting with a doctor, you need to be absolutely honest with him or her. In fact, never misrepresent things in connection with your injury. We are simply saying that sometimes people do not understand comments you make or cannot put them into context. If these people are called into court to contradict what you say, this can cause any legal case to go badly. Again, never lie or misrepresent the facts. However, do be careful who you talk to. The best advice, in our opinion, is to avoid talking about it with others except for your lawyer and doctors.

QUESTION NO. 5: What if I don't agree with my doctor's advice?

Obviously, you always have a right to get another opinion. We are not doctors; therefore, don't look to us for any medical advice. If you feel you are not getting proper treatment, feel free to call upon another doctor. However, from a legal prospective, you should try to follow your doctor's instructions regarding your health care. If you do not follow your doctor's instructions, any damages you could be awarded may be reduced.

QUESTION NO. 6: Am I supposed to keep track of how I am feeling?

It is our advice that you keep a personal injury journal. In other words, do take time to record how you feel when you get up in the morning. How bad do you hurt? Where does it hurt? Is it hard to get out of bed? Do you need help getting out of bed? Are you dizzy when you get out of bed? Do you wake up with headaches? How do you feel once you are up for a while? How bad is the pain?

You do not need to write a book every day, but make entries in a journal every day. Keep track of the dates for each entry. You may notice that you cannot do the same activities that you used to be able to do. If you notice this, write it down in your journal. For example, if you notice that vacuuming is becoming a problem, write it down. Also write down where it hurts. If you cannot engage in the athletics you used to be able to, write it down. Keep track of interference the injury has with family activities, religious activities, and social activities. Keep track of whether the pain is continuous or intermittent and whether it changes. If there is something that makes you feel better (such as medication or massage) write it down. One thing you need to realize is that proving liability (i.e., that somebody else was negligent) is only half of the battle. The other half is proving the damages you have.

We would like to give a final word of advice. Whether you work with our law firm or with another law firm, we think it is important that you trust your lawyer. Obviously, if you become dissatisfied with your lawyer, you have a right to find another one. However, take the time to discuss the issue with your lawyer first. Presumably your attorney has knowledge in handling the case. More often than not, it is our opinion that you are better off following your lawyer's advice.