

# **10 SECRETS**

**OF GEORGIA CAR WRECK CLAIMS**



**L. TY WILSON, P.C.**

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# Contents

About this Book . . . . .	1
Why I Wrote this Book. . . . .	3
This Report Is Not Legal Advice . . . . .	5
What Makes Claims Unique?. . . . .	7
The Kinds of Cases We Take . . . . .	9
What Makes Our Firm so Different . . . . .	11
Common Myths about Georgia. . . . .	13
Car Crash Claims	
What You Need to Know Now about. . . . .	15
Insurance Adjusters	
What to Expect from a Personal Injury . . . . .	19
Lawyer’s “Free Consultation”	
What Is a Personal Injury Case?. . . . .	21
How to Find a Qualified Personal Injury Attorney . . . . .	23
What an Experienced Personal Injury. . . . .	29
Attorney Does to Help Your Case	
The Ten Secrets that Can Wreck . . . . .	33
Your Georgia Car Wreck Claim	
Common Excuses to Deny . . . . .	45
Your Claim or Offer a Low Settlement	

Cases We Do Not Accept . . . . .	47
Warning! Your Health Insurance . . . . .	49
Wants Money from Your Car Wreck!	
About the Author . . . . .	51

## **About this Book**

You're doing yourself a huge favor by obtaining this report. The information in this report is provided for you or a loved one who has been injured in a car accident. This information is intended to help you and/or your loved one, when you have been dragged into a situation in which you never asked to be involved.

Unfortunately, there's a lot of misleading and incorrect information out there about automobile accident claims. There are also several people out there who hope to get rich through their car accident claims. In fact, some of the attorneys who advertise lead you to believe that you can become wealthy by having a auto accident in Georgia. The fact is, if you are seriously injured, all the money in the world will never bring back your health. Your health is far more important than money.

I wrote this report so you and/or your loved one can have a solid foundation regarding Georgia auto accident claims, how to hire an attorney, and how to deal with the insurance company prior to speaking with an attorney. The information provided in this report will help you improve your odds of being successful on your car wreck claim. However, what this report will not do, is show you how to make millions of dollars for either a minor injury and/or a non-injury. Our office gets plenty of calls everyday regarding car accident claims. We do not take on all the claims. In fact, we are very selective about the claims we do take.

My name is Ty Wilson, and since 2001, I have been practicing law in the state of Georgia. I only handle Georgia car wreck claims, slip and falls with serious injury, and Georgia workers compensation claims. If you have any questions beyond the scope of this report, please feel free to visit me on my web site [www.TyWilsonLaw.com](http://www.TyWilsonLaw.com).

## **Why I Wrote this Book**

Very simply, I wrote this book because my firm is different. Through my many years of practicing law in Georgia, I have learned that most injured people are taken advantage of by the insurance companies because they do not know what their rights are under Georgia state law. Insurance companies do not always provide the best information to the injured person because the injured person is in opposition to them.

The insurance companies spend a lot of money attempting to create good will and attempt early on in a claim to be friendly to the injured person so that they can get the information they need to make sure they have the upper hand. This is why I have decided to write this report. If you or a loved one has been injured and

have an auto accident claim, what you need is information that you can trust.

If you try to deal with the insurance adjusters on your own, you likely will be another unfortunate statistic. The fact is a lot of people try to handle their own auto accident claim. This is exactly what the insurance company wants and hopes for.

I wrote this report so that you could have a good, honest and useful source of information to review and study in the comfort of your own home. Also, this report saves me time. I get many calls each day from people asking me to represent them in their Georgia auto accident claims. Writing this report gives me a chance to talk to you about what you need to know about your Georgia auto accident claim so you can make the most informed decision about what steps to take with your claim. Even if I cannot accept your case, I'd like you to be educated about the process so that you don't fall victim to the insurance companies.

# **This Report Is Not Legal Advice**

By putting together this report, I am providing you with information on insurance companies. I am not allowed, however, to give legal advice in this report. Although I can offer suggestions and identify tricks and traps, please do not construe anything in this book to be legal advice about your case. Until you have agreed to hire me and have a signed written agreement for my firm to take your claim, I cannot offer legal advice relative to your unique situation.



# What Makes Claims Unique?

You may hear that all claims are different, without understanding why. Every claim is different, some of the things that make claims unique are:

- Type of collision, for example, rear-end, t-bone, side-swipe, head-on.
- Speed of the collision; though controversial, the fact remains that serious collisions occur at faster speeds.
- Type of property where the incident occurred—private property versus the freeway.

- Type of medical treatment, ambulance, hospital, medical doctor, physical therapy, chiropractic care, gaps in treatment versus no gaps in treatment or consistent care.
- Pre-existing injury versus new injury.
- Type of liability; for example, was the other driver drunk or using a mobile phone?
- Lost time from work.
- Insurance coverage.

## **The Kinds of Cases We Take**

- Do you expect to have three thousand dollars (\$3,000.00) in total medical bills and lost wages? (This does not include out of pocket expenses.)
- Was someone else clearly responsible for the crash?
- Did you get medical treatment within three days of the crash?
- Did the crash occur less than 18 months ago?
- Have you continually treated with your medical doctor since the car crash?
- Is the damage to your car from the crash visible?

L. Ty Wilson, P.C.

If you can say yes to the questions listed, call our office at  
770-948-5454.

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# **What Makes Our Firm so Different**

We are different because we are very selective about the cases we take. We do not take every case. We are focused on providing the absolute best service to our clients. Because we are highly selective about the cases we take, we are able to spend quality time focusing on those cases, maximizing our resources and providing excellent results.

Our firm belief is that with quality of life comes quality results. Each year, we select only a few of the numerous people who ask us to represent them. We believe that by being selective, we are better able to serve our clients and provide service in a way no high-volume practice ever could.

We are honest and will provide you good news as well as bad news in as timely a way as possible and will counsel you on what direction would be in your best interests and why. If we believe you do not have a claim that can be won, we will tell you. If you have a claim you can handle on your own, we will tell you. Not every car crash claim needs an attorney.

You will have contact with your attorney, who will be handling your case.

# **Common Myths about Georgia Car Crash Claims**

- All lawyers charge the same fees in injury cases.
- If you work with the insurance company adjusters, they will work with you.
- The insurance company will pay for your medical care as you treat.
- The insurance company will pay for all of your medical care related to the crash separate from the amount for which they offer to settle the claim.
- You will not have to come up with out-of-pocket expenses since the crash was not your fault.
- All lawyers who advertise personal injury have the same abilities to handle personal injury cases.
- Because you were injured and it was not your fault,

someone must pay for your injuries, your medical care and your lost wages.

- If you do not get the insurance adjusters a copy of your police report, they will deny your claim.
- If you do not give a recorded statement to the insurance company adjusters, they will deny your claim.
- The insurance adjusters have your best interests in mind.
- The insurance adjusters are always telling you the truth.
- There is a formula for determining settlement value on a car crash claim.
- Georgia juries are generous.
- Because you are involved in a car crash, you have a chance to hit the lottery with this claim.
- The insurance company is going to pay you far more than your time is worth in dealing with your car crash.
- The insurance company is going to make sure they help you because it was not your fault.

# **What You Need to Know Now About Insurance Adjusters**

1. They are highly trained. The insurance companies pay a lot of money to make sure their adjusters are highly trained to prevent unnecessary losses of money. The insurance industry is in the business of taking in premiums and not paying out losses. They are businesses; make no mistake about that. If you are dealing with adjusters, likely your interests are in direct opposition to theirs.
2. They are overworked. Most adjusters who are dealing with you on a claim have several other files, sometimes several hundreds of files. This in and of itself gives them a great deal of experience over you. If they have 200 files at any given time and you have one auto collision in a lifetime, they have over 200 times the experience. They have likely

seen everything, and your claim is no different to them. On the other hand, your claim is the most serious matter to you.

3. The adjusters are not your friends. As mentioned earlier, they are trained to be friendly to you to get the information they need to adjust the claim. They are also getting the information in hopes of finding a reason to deny the claim or muddy the water so it is not as clear as you might think it is. This is their job.
  
4. Their primary job is not to pay you! Most people believe that the adjusters are supposed to be fair and are supposed to be reasonable, and some of them are. The fact remains, their purpose is to justify their salaries and the more money they save the company, the more likely it is they will be potential candidates for promotions or raises, or both. Their purpose is to save the insurance company money and that is in direct conflict with your claim. They do this by obtaining all the information they can for their legal staff so that they are ready for trial against you, while giving you nothing in return.

5. You may think you can handle a claim yourself and, if small enough, you probably can, but if you do not have an attorney, the insurance company knows it is likely that you will not take them to court. If you do file suit yourself, you will be going up against the insurance company's attorney, who handles hundreds of cases a year just like yours.
6. If you give the adjusters the information they want (for example, a recorded statement, a signed medical authorization, or your social security number), you can expect that they will stop taking your calls and will no longer be the friendly people they were prior to obtaining what they wanted.
7. They are not there to help you. Their job is to reduce the amount of money that is paid out on claims, and that is the exact opposite of what you want. You want everything you are entitled to under the law.
8. They know the insurance company will not be mentioned or discussed in a lawsuit; this will give them an advantage in the fact you may be suing a poor elderly woman (the other driver)—not a big bad insurance company. You

see, if you file suit in an auto collision you do not file the lawsuit against the at-fault insurance company, you file against the at-fault driver. In Georgia, if insurance is mentioned in front of a jury that is grounds for a mistrial. If you get a mistrial it means you start over from the beginning and waste time and money in the process.

9. They know if you file a lawsuit they will just hand the file over either to their in-house counsel or to the firm with whom the company does work.

# **What to Expect from a Personal Injury Lawyer's “Free Consultation”**

- Explanation of what to expect in the personal injury claims process.
- Explanation of what to expect if a lawsuit is filed in your claim.
- Explanation of the attorney fee contract. What are the fees the attorney charges? What are the expenses the attorney charges? How are the fees determined? What is included in the expenses? What is the differences between fees and expenses?
- Explanation of experience the attorney has with personal injury cases. This varies a great deal. Most importantly,

does the attorney handle litigation himself, or does he get other attorneys involved?

- Should be able to provide you proof of errors and omissions or legal malpractice insurance coverage of at least one million dollars.

## **What Is a Personal Injury Case?**

A personal injury case is any case such as an automobile accident, slip and fall, or wrongful death, whereby someone is injured due to someone else's lack of care.

If you have been in a car accident and you are not injured or hurt, then you have a property damage only claim. If you are hurt or injured, you have a personal injury claim, also called a bodily injury claim, based upon your damages.

If you are hurt/injured and have property damage, you have two separate claims, one for your property damage and one for your bodily injury. We do not handle property damage only claims, but there are law firms that do. We handle personal injury or bodily injury claims.

In some matters, a person is killed rather than injured. This is called a wrongful death. The laws are specific in this area of law and the laws vary from state to state. You should contact an attorney immediately, as these cases can be very technical in nature.

# How to Find a Qualified Personal Injury Attorney

1. Attorney friends. If you have a friend who is an attorney but does not practice personal injury law, he or she may still know and be able to recommend a lawyer whom he or she knows and trusts will work hard for you.
2. Family or friends who have been involved in a motor vehicle collision. Sometimes friends or loved ones may have had a motor vehicle collision and hired an attorney. Ask them. At the very least they can tell you who to avoid if they did not have a pleasant experience.
3. Local bar association. The Atlanta Bar Association has a referral hot line. So does Cobb County. If you do not know of an attorney, you may contact one of these

bar associations for a referral. Keep in mind that not all attorneys are associated with the bar associations, but you can be assured that if an attorney is, he or she usually has errors and omissions insurance coverage or malpractice coverage.

4. Yellow Pages. Not everyone advertises in the Yellow Pages. This should be one of your last resources for finding an attorney. Just because an attorney has the biggest ad does not mean he/she is the best attorney, so be extremely careful about evaluating an attorney from the Yellow Pages.
5. Interview several attorneys. You should feel comfortable with the attorney you select. For questions to ask, see “What to Expect from a Personal Injury Attorney’s ‘Free Consultation.’”
6. Avoid attorneys who call you first. Run, run, run away. Ethical attorneys are not supposed to contact you. If you wish the services of an attorney, you must contact him or her.

7. Avoid “runners.” These are guys hired by unethical attorneys to listen to police scanners and hang out at the police department to obtain records based upon what they hear. They will contact you and make promises they will never deliver on. This is HIGHLY UNETHICAL. If the attorneys and runners are willing to bend the law to get you as a client, then what else are they willing to do to help themselves?
  
8. Beware of lawyers who contact you in writing just after the accident. Once again, according to local ethics rules, an attorney is not supposed to contact you (unless you contact him or her first) for 30 days after a motor vehicle collision. Of course, this rule applies to attorneys who contact you with knowledge that you have been in a motor vehicle collision. Stay away! Once again, if they are willing to get in trouble with the State Bar of Georgia and lose their license depending upon the ethical infraction, how can you trust they will not turn around and take advantage of you? Do yourself a favor and avoid these people. They are the guys who disgust hard working, ethical attorneys because they give all attorneys a bad name. If you continue to get harassed by these individuals, you should report them to the State Bar of Georgia.

Beware of attorneys who promise to get you to their doctors. If an attorney has a long list of doctors for you to treat with, you have to ask how this could affect your case if you are forced to go to court. The relationship between an attorney and a doctor could be the death sentence for your claim. Why would it be dangerous?

Well, if your claim must be litigated, it will be relatively easy for defense counsel to discover the relationship between the attorney and the doctor through the insurance company database. The insurance companies keep track of all claims and look for patterns, such as attorneys using the same doctors over and over. The defense counsel will be licking his chops to present this information in front of a jury to completely destroy any credibility you may have. If your credibility gets destroyed the jury will not believe anything you say and will look upon the rest of the trial as a waste of time. This is something that can potentially destroy your claim. Don't do it.

10. Beware of attorneys who are not licensed in the state where the collision occurred. This is a potential problem when it comes time to file a lawsuit, as they are not legally able to file a lawsuit in a jurisdiction in which they

are not entitled to practice law. Every state is different, so if you have questions, you should speak with an attorney immediately.



# **What an Experienced Personal Injury Attorney Does to Help Your Case**

- Conducts an initial client interview.
- Educates you about personal injury process.
- Gathers and locates personal injury documents.
- Insurance analysis.
- Analyzes liability issues.
- Interviews known witnesses.
- Photographs scenes and vehicles (if possible).
- Notifies all insurance companies of claim.

- Evaluates legal issues surrounding the facts of your particular claim.
- Analyzes health insurance policy to determine if any monies are to be paid back to them under the law.
- Analyzes the validity of any liens which may be outstanding based upon medical care.
- Obtains all certified medical records.
- Obtains all certified medical bills.
- If work is missed, facilitates obtaining the proper documentation to prove lost wages.
- Determines if this matter should be presented for settlement prior to litigation or whether the matter should be litigated or taken to court.
- If suit is filed, prepares complaint, interrogatories, requests for the production of documents, and requests for admissions.
- Locates and serves any and all defendants with lawsuit and discovery.

- Answers discovery filed for plaintiff in the form of interrogatories, requests for the production of documents, and requests for admissions.
- Prepares any witnesses who may be deposed.
- Prepares questions to take depositions needed for your case.
- Obtains medical narratives from medical providers to clarify causes of injury.
- Researches case law.
- Writes motions on outstanding legal issues as they relate to any particular claim.
- Answers discovery and produces documents to defendant.
- Prepares motions for trial.
- Prepares for trial.
- Prepares questions to attempt to select the most favorable jury members, also known as voir dire.
- Prepares opening statement.

- Prepares direct examination for each witness.
- Prepares cross examination for each opposing witness.
- Prepares closing statement.
- Prepares for mediation/arbitration.
- Organizes the preparation of medical exhibits.
- Organizes the preparation of other documentary exhibits.
- Files briefs and motions to prevent surprises at court.
- Tries the case.
- Analyzes the jury/bench verdict for the possibility of appeal.
- Makes recommendation as to whether a verdict should or should not be appealed.

# **The Ten Secrets that Can Wreck Your Georgia Car Wreck Claim**

Here is what I consider the Ten Secrets that can wreck your motor vehicle collision. These secrets are based upon my experience.

1. **Never hire an attorney who sends you to a doctor.**

The issue here is in the business relationship between the doctor and the lawyer. Do they have a referral relationship, meaning they refer clients to one another? What is critical here is the insurance company keeps up with this information, and they know if a lawyer and doctor work together on every claim. This relationship could come out at trial and that is not the first place you need to hear that this doctor has 50 clients with your

lawyer, and that they have worked together for years. This tends to make the jury question the doctor's decision to be impartial about the patient's care, and I have seen the defense attorney tell a judge/jury that this matter was made worse by the financial relationship between the doctor, lawyer and client. While there may be times when a referral is needed, it is important to know specific information about the relationship between the doctor and the lawyer. You need to ask specific questions, and if a lawyer gets angry about the questions, he/she may not be the best lawyer for your case.

So what is the big deal if a doctor and a lawyer work together? The big deal is if you are forced to file suit because the insurance company does not wish to settle, your attorney's relationship with your treating doctor is one of the easiest ways a defense attorney can destroy your credibility in front of a jury. Insurance companies have every attorney they work with indexed in a database. They also have all medical providers indexed, and they can determine pretty easily when an attorney uses the same doctor or vice versa. How does this affect your claim? Your claim is affected when you are in front of a jury and the defense attorney tells the jury either directly or through the doctor's testimony that the doctor and the

attorney work together often and have a financial interest in doing the best they can for your case. In other words, they will paint a picture that the attorney and the doctor are working together to milk the insurance company out of money and you are just part of the scam. They will question treatment and procedures, in an effort to make the doctor look as if he would never treat you if he did not know if he was going to get paid or not. It is likely if your attorney is recommending a doctor or chiropractor, then he or she probably will not be going to court. And if for some reason your case is not able to be resolved prior to filing suit, your attorney will likely attempt to make you accept a low offer so he or she can avoid court. Be prepared that a poor decision could put you in a position where you never recover your full and complete harms and losses.

If a lawyer and a doctor have an existing relationship, why are they going to jeopardize their relationship with each other for you and your claim, when they may have fifty or more claims together? This could be a conflict of interest when it comes to closing your claim. If the lawyer represents you, you have a contract with the lawyer for the lawyer to do the best job he or she can do for you, not

his friend the doctor. Keep that in mind if a lawyer refers you to a doctor!

2. **Avoid gaps or delays in medical treatment.**

This is a very simple point. If you have been injured in a motor vehicle collision, you need to get medical treatment to make sure you do not have a serious injury. Delay is not your friend. If the delay is too long, the insurance company will deny your injury was the result of your car crash. If you are not injured or hurt you should **NEVER** seek treatment to attempt to create a claim. If you have not received any medical treatment and your accident happened more than five days ago, our office will not be able to help you unless you have been instructed by a medical doctor to seek treatment after a five day gap. That does not mean you do not have a claim. In fact, there are plenty of law firms that may take on your claim. Our experience shows if you have not received any medical treatment within five days of your collision, your claim is not one our office wants to take on.

3. **Do not miss work without a medical excuse.**

If you are injured in a motor vehicle collision and a doctor takes you out of work, you could have a claim for lost wages as a result of your damages. What is important is making sure that if a doctor takes you out of work he provides you a work excuse so that you can be reimbursed. It is not uncommon for people not to feel well after a motor vehicle collision. Some people do not feel they can work and, as a result, take themselves out of work. Once the claim is nearing an end, they ask for lost wages for the time they were out of work. It never fails that the insurance company will in turn ask for a medical excuse providing that a medical provider has taken a person out of work and restricted the injured person from returning to work in any capacity. If this medical excuse is not provided, the insurance company can deny your lost wage claim.

4. **Do not give a recorded statement to the at-fault driver's insurance company.**

The insurance company will contact you as soon as they discover there has been an accident. They will tell you they need to know what happened so they can investigate the accident. While this may be true, why do they need

to record the conversation? They do this for a very specific reason; they are transcribing your recorded statement and turning it over to their attorney to see how they can use your own words against you, shortly after you have been injured, and possibly when you are on pain medication. Most people will not want to blame the other driver directly, and will state that maybe they shared the blame. This is normal human behavior, and the insurance companies know this and want it recorded so they can use it and minimize their damages as they relate to this claim. For example, when the adjuster asks Mr. Doe, “How are you doing?” his natural response is to downplay his condition and respond, “I am fine.” That is exactly what the insurance company wants to hear.

Another big concern is explaining the injuries you have sustained. Many years ago, we had a client who hurt his back severely, requiring back surgery. Naturally, the entire claim revolved around his back as it was the injury which was giving him the most problems.

After surgery was performed, the client noticed that his arm and shoulder were bothering him. As you can imagine, the insurance company took a very hard line approach and denied any responsibility for the injuries

to the arm and the shoulder. The insurance company attempted to deny the injuries to the shoulder and arm because they had not been mentioned in the recorded statement.

5. **Do not attempt to settle your claim with the insurance company prior to knowing all of your damages or injuries.**

Settling or attempting to settle a case prior to knowing all of your damages will only hurt you. If you are still treating with a doctor, you owe it to yourself and your loved ones to make sure you will be back on your feet and will not need additional medical care or surgery. It is a good idea not to speak with the insurance company regarding settlement of your personal injury claim or conclusion of your personal injury claim at any time until you have been released from medical care by a doctor and are back at work. If you have specific questions, you should contact an attorney immediately.

**NEVER** discuss your injuries with the insurance company prior to knowing what your full and complete damages are. Insurance adjusters are given authority based upon what the insurance limits are for an individual claim.

When they speak with you and ask about your injuries, you should never tell them what you think your injuries are if you are still treating. This matter has come up more than once where someone thought they just had a back strain only to find out they had a serious back injury requiring surgery. Equally important is that you should not discuss with an insurance adjuster if you have health insurance coverage. You should avoid speaking with adjusters unless you have contacted them. When speaking with an adjuster, only discuss what you know!

6. **Disclose prior car wrecks or workers' compensation claims or injuries to your attorney.**

We are all placed in insurance computer databases: attorneys, doctors, and any person making a claim against an insurance company. It is highly likely the insurance company will know about any and all prior injury claims, while your lawyer may not. This could be a very important information that your lawyer needs to know. Hiding or not disclosing prior claims and prior injuries can hurt or destroy your case if not addressed early and head on. Make sure your attorney knows about all prior claims immediately.

7. **Put your own insurance company on notice of a car wreck.**

We have had claims in the past where a client was involved in a rear-end collision causing injuries. The client had health insurance and underinsured motorist coverage but refused to use his insurance. We explained to him the great risk he was taking. He claimed to understand and went about his treatment. It turned out his injuries developed into serious nerve damage and now the client is limited to the liability limits of the at-fault driver, which may or may not cover his final medical bills. If he would have allowed our office to make claims with his insurance he would have been protected. Unfortunately, the refusal to allow us to file claims with his insurance company may cost him dearly because there might not be enough money from the at-fault insurance company. The results could be that he is required to pay money out of his pocket to cover his medical bills.

8. **Do not provide the at-fault insurance company a signed medical release so they can obtain medical records.**

Just like providing a recorded statement will increase the likelihood of your claim being denied, providing the insurance company a signed medical release will also damage your claim. The fact is the insurance company will then take your release and will seek to obtain not only the records as they relate to your claim but also will work hard to determine and to seek out any and all medical records that will help their case against you. They pitch it to you in the sense that they will get your medical records so you do not have to and you do not have to pay for it. That is a lazy way to deal with a company that is looking to destroy your chances of being victorious. Don't do it, it does not benefit you. It will only cost you.

9. **Do not miss the statute of limitations because you trust the insurance company.**

Over time, I have received more calls than I should on this topic. Most lawyers will take claims right up to the end. Currently you have two years from the date of injury with which to bring forth a claim for personal

injury in the state of Georgia. Our firm will not consider representing an injured person who has decided to wait until the last minute. There are too many things that have to happen behind the scenes from a legal perspective. Your emergency will not become ours. If you know you need representation, then contact legal counsel quickly. If you are still treating and approaching the statute of limitations you should contact an attorney prior to six months before the expiration of the statute of limitations.

**10. Do not attempt to resolve a claim without knowing about liens that relate to you**

If you have been treated by a hospital, have health insurance, medicare, Medicaid have medical care provided by a doctor who makes you sign paperwork, you just may have a lien attached to your claim.

If this is the case, you may find that the insurance company is not willing to pay you the amount of the settlement, and may tell you that they insist upon paying the lien holder directly and paying the balance to you.

For example, if you have health insurance, and they pay for your medical bills as it relates to your claim, your health insurance company will likely have what is called a subrogation or reimbursement interest in the amount of payments they made on your behalf.

They may or may not be entitled to this payment but if they notify the insurance company, not only will the insurance company insist upon paying them, they will not attempt to negotiate or verify that the insurance company legally needs to be paid back. There is no way around liens without an attorney. You will have a difficult time negotiating the lien maze that is out there. The law is constantly changing so it is important to speak with an attorney so that you can discover your legal rights as they relate to liens.

# **Common Excuses to Deny Your Claim or Offer a Low Settlement**

1. You will not provide us with a recorded statement so we will deny liability because we cannot investigate without your recorded statement.
2. You will not sign over a medical release form so we can not obtain your records directly from the medical provider, which is what we require to determine your damages.
3. You will not provide us information on your health insurance coverage so we can deduct what has been paid by the insurance company.
4. You were not wearing a seat belt.

5. Our analysis is that your actions contributed to the accident, even if the police say otherwise.
6. We do not believe the medical care you received is related to the motor vehicle collision.

## Cases We Do Not Accept

- Cases where you have previously hired another attorney. We have our ways to handle cases and prefer to handle them from the start.
- Cases eighteen months after the collision. There are many things that must happen behind the scenes. While some attorneys may enjoy scrambling at the last minute, our office does not. Your emergency will not become ours. Therefore, we will not take on cases within six months of the current statute of limitations.
- Cases with low property damage. If you only have a scratch or very minor damage, it has been our experience that juries will look upon these cases with a critical eye.

There are some attorneys who take on these cases, we do not.

- Cases where the damages (meaning your medical bills and lost wages combined) do not exceed three thousand dollars (\$3,000.00).
- Cases where you are at fault according to the police report, also known as comparative negligence cases.
- Cases where you assume the risk. An example would be where you go to a bar for drinks with a friend; the friend gets behind the wheel, and gets in a wreck. This is called assumption of the risk and we do not take on these types of cases.
- Cases where you have a pre-existing serious injury. Medical determination of the cause is practically impossible to prove and, therefore, make poor Georgia cases.

Are there any cases left? Yes, we represent numerous injured persons who have been seriously injured. Our clients are positive thinkers and work to overcome the injuries they have sustained and focus on getting their lives back to normal or as close to normal as possible.

# **Warning! Your Health Insurance Wants Money from Your Car Wreck!**

Most clients are infuriated when I tell them that their health insurance company will likely ask to be paid back if they collect on a third party claim. What is a third party claim? It is any claim where you receive money from someone else or a third party. So what happens if we do not pay them back? Well, let's just say it can get ugly. The health insurance company can sue you directly to seek reimbursement for the money they paid out, or they can withhold new benefits until they receive a credit.

You are probably saying what most of my clients say, «That does not seem fair, I pay my premiums for years, get hurt through no fault of my own and when it comes time to get paid for my damages, I have to repay my own health insurance on top of the premiums.» Unfortunately, this is likely the case. Every policy

is different, so if you have specific questions the answers should be provided in your explanation of benefits. If you have specific questions, it would be best to speak with an attorney so you know what to expect.

## **About the Author**

Georgia attorney Ty Wilson has dedicated his legal career to representing people against insurance companies. Shortly after law school, Mr. Wilson worked for a big defense law firm before realizing that his true calling was in helping people—not businesses.

Ty is licensed to practice law in the state of Georgia. He is a member of the Georgia Trial Lawyers Association, Rockdale Bar Association, Atlanta Bar Association, Southern Trial Lawyers Association and the American Association of Justice.

For more information about the law firm, please visit our web site: [www.TyWilsonLaw.com](http://www.TyWilsonLaw.com). You can follow Ty's blog: [www.Accident-Attorney-Atlanta.com](http://www.Accident-Attorney-Atlanta.com).

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*From 10 Secrets of Georgia Car Wreck Claims:*



“You’re doing yourself a huge favor by obtaining this report. The information in this report is provided for you or a loved one who has been injured in a car accident. This information is intended to help you and/or your loved one, when you have been dragged into a situation in which you never asked to be involved.”

—Ty Wilson

Ty Wilson’s compact and clearly organized book, designed to help Georgia residents with auto accident claims, explains common myths about Georgia car wreck claims, provides guidance about how to find a qualified personal injury attorney, and shows readers how to avoid the most common mistakes claimants make in auto accident cases.

Written in clear language for lay readers, this book shows readers insurance companies’ common excuses for denying claims or offering lower settlements, and explains how to counter these excuses to achieve the best possible outcome for your claim.

Ty Wilson has been practicing law in the Atlanta area since 2001.

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