Car Crash Claim Timeline: From the Crash to Settlement

A car accident claim moves through stages that can take months or longer. The vehicle damage part often resolves within weeks, while the injury claim usually waits until treatment has run its course. A car accident attorney can explain where a given claim stands, though every claim is different.

The first hours and days

Getting medical care comes first, even if 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 used to request a copy. Most policies require prompt notice of a crash to the policyholder's own insurer, even when the other driver caused it. Photos of the scene, the cars and any visible injuries are easiest to get early, and dashcam files should be saved before they are overwritten.

The first weeks

The car is either 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 ***car accident lawyer*** a recorded statement or offer an early settlement. Many people consult a car accident attorney at this point, before a release is signed. 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, together with proof of missed work. Many claims are not valued until the injured person reaches maximum medical improvement, the point when doctors can describe the long-term outlook. A car accident lawyer then sends the insurer a demand package with the medical records and bills plus a damages summary. Some states regulate time-limited settlement demands by statute.

Why timing matters for a settlement

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 use a life care plan. Settling too early can leave those costs unpaid, while waiting too long can run into the filing deadline.

Filing suit

The adjuster may accept, reject or counter the demand. 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 ask for an independent medical examination. Many courts require mediation before trial, and most cases resolve by settlement rather than verdict.

Settlement and closing

A settlement usually requires a signed release. Before funds are paid out, liens from Medicare, Medicaid or health plans may need to be resolved, and in many states a settlement for a minor requires court approval. An automobile accident lawyer typically provides a written closing statement showing the fee, the costs and the net amount. This is general information and not legal advice, and no article can predict how long a claim will take.