



S AILE & SAILE LLP
ATTORNEYS AT LAW

ACCIDENT PROCEDURES:

If you are in an auto accident, you may be too upset or shocked to think clearly at the moment. Because accidents happen to the best of drivers, everyone should be prepared to do the right things immediately after the accident. Many legal troubles arising from accidents could have been avoided or minimized if the persons involved knew in advance what they should do, and should not do.

1. STOP

State law requires that the driver of a vehicle involved in an accident where a person is injured or property is damaged to immediately stop the vehicle at the scene of the accident or as close to the scene as possible without obstructing traffic more than necessary.

2. ASSIST THE INJURED

Your first duty after stopping your car is to check for injured persons. If someone is seriously injured, call 911. Do not move the injured person unless you have been certified in first aid. Good intentions on your part may result in further injury to the victim.

3. PROTECT THE SCENE

Take all possible precautions to prevent further accidents. Try to have someone stationed to warn approaching vehicles and, if at night, use flares and reflectors if available. If no flares or reflectors are available and you have a flashlight, safely use it.

4. CALL AN OFFICER

Give notice of the accident to the local police department. Even where there are apparently no personal injuries or serious damages to property, it is advisable to give this notice immediately so that an officer can investigate the accident. The officer's official report may greatly assist you later if a claim for liability is to be made. Often times accident victims do not feel pain until days after the accident.

5. COMMENTS

Do not comment on the accident. Keep your notes and information strictly to yourself. Admit nothing and sign nothing. Your emotions at the time of the accident may deceive you. State law requires only that you give your name, address and registration number of the vehicle you are driving and that you exhibit your operator's license and insurance information.

6. ASSIST THE OFFICER

Remain at the scene, unless injured, until the officer arrives. Cooperate with the officer by briefly advising him of the basic facts. Remember: No one can force you to give an opinion as to the cause of the accident at the scene, at police headquarters, or elsewhere. You have the right to consult a lawyer before making any statement. If it is a serious accident, consult your attorney as quickly as possible.

7. IDENTIFY THE OTHER DRIVER

Obtain the other driver's name, address, the registration number of the vehicle, any automobile insurance information, and request the other driver to exhibit to you their driver's license.

8. WITNESSES

Obtain the names and addresses of any and all witnesses as soon as you can – both eyewitnesses and all others who might have some information about any of the circumstances of the accident. After writing down their names and addresses, attempt to obtain from these witnesses a statement as to what happened and have them, if they will, write it down, and sign it at the scene. Always have a pencil (pens dry out) and note pad, and a cheap throw-away camera with a flash in the glove compartment of your car.

9. TAKE NOTES AND DIAGRAM

Make your own written notes on all significant circumstances concerning the accident. Show position of cars after the accident. Safely step off exact distances of skid marks and other important distances. Be certain that you can, at a later date, point on the road where the vehicles collided and where they came to a stop. If you or someone else has a camera at the scene, take pictures to preserve skid marks, position of cars, and other physical evidence that will disappear after the accident.

10. ARRESTS

An arrest at the scene of the other party or yourself does not necessarily indicate liability. An arrest and conviction in connection with an automobile accident may not necessarily be used against you later in a suit for damages. However, any statement made may be used against you as an admission, so it is important that you contact your lawyer as soon as possible before making any statements.

11. WHEN TO LEAVE THE SCENE

Unless your injuries compel you to do otherwise, do not leave the scene of the accident until you have, as outlined previously, assisted the injured, protected the scene, called and assisted the police officer, identified the other driver, obtained the names, addresses, phone numbers, and statements of all witnesses, and made sufficient notes.

**12. CALL YOUR ATTORNEY AT
SAILE & SAILE LLP
1-800-860-5801**

You may be entitled to have your medical expenses and loss of earnings reimbursed, as well as being compensated for the pain and suffering you experience as a result of the accident. In all events, **DO NOT SIGN** release forms or any documents with an insurance company before consulting with your attorney. If you do so, you may lose any chance to be properly compensated for the damages incurred in the accident.

13. INFORM YOUR INSURANCE COMPANY

After contacting your attorney, make a complete report to your insurance company. Failure to make a prompt and correct report may affect your rights. After initially reporting the accident to the insurance company, tell them to direct all further correspondence, including phone calls, to your attorney at Saile & Saile LLP.

Call or email Saile & Saile LLP today to request a “**What to do in case of an Automobile Accident**” pamphlet to be placed in the glove box of your car.