What to Expect From the Insurance Adjuster After a Car Crash

Most people deal with an insurance adjuster long before a lawsuit is even a question. The adjuster's job is to evaluate the claim for the insurance company, and some common practices can reduce the value of a claim if they go unnoticed. Understanding these practices is one reason people consult a car accident attorney before signing anything.

Early calls from the adjuster

The other driver's insurer may call within days and ask for a recorded statement. Usually there is no duty to give one to the other driver's insurer, though a person's own policy may require cooperation with that insurer. Statements made while in pain or on medication can be used later to dispute the claim. Adjusters may also send broad medical authorizations that reach records unrelated to the crash. A car accident attorney usually limits what is shared to records related to the crash.

Early offers and disputed injuries

An offer may arrive before the full extent of an injury is known. Accepting 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.

Repairs and total losses

A property damage claim usually moves faster than an injury claim. If the car can be repaired, the insurer writes an estimate, and the repair shop may find hidden damage once work begins. 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 what is still owed on a loan.

Getting around during repairs

While the car is being repaired, the at-fault driver's insurer may owe the reasonable cost of a rental or payment caraccidentlawyers.wiki for loss of use. How long that period should last is a common dispute, particularly when parts are delayed or the insurer is slow to inspect. A person's own rental reimbursement coverage typically has a daily limit and a maximum number of days. Receipts and a log of calls with the adjuster help support the claim.

Loss in resale value

A repaired car with a crash history often sells for less than one without. That difference is called diminished value. Whether it can be recovered depends on the state and on the kind of claim. Third-party claims against the at-fault driver's insurer are more often allowed than first-party claims under one's own policy, which may exclude it. An independent appraisal and the vehicle history report help document the loss. A car accident lawyer can explain whether the state where the crash happened allows the claim.

When a claim stalls

Each state has an insurance department that takes consumer complaints, and some states have bad faith laws for unreasonable claim handling. This article is general information, not legal advice, and no article can promise any result.