Car Accident 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 lawyer can explain where a particular claim stands, although no two claims follow the same path.

The first days

Medical care comes first, even when injuries seem minor at the scene, and records from that first visit often become important evidence. Responding officers usually prepare a crash report, and the report number is used to request a copy. Most auto policies require prompt notice to the policyholder's own insurer, even when the other driver caused it. Photos of the vehicles, the scene and any visible injuries are easiest to take early, and dashcam files should be saved before they are recorded over.

The first weeks

The car is either repaired or declared a total loss, and the insurer pays for repairs or the actual cash value. Diminished value may be claimed in some states. The other driver's adjuster may request a recorded statement or make an early offer. Many people consult a car accident attorney at this point, before signing any car accident lawyer release. A preservation letter can ask the other driver or nearby businesses to keep video and event data recorder (EDR) caraccidentlawyers.wiki data.

The months of treatment

During treatment, the medical records and bills are collected, along with proof of lost wages. Many claims are not valued until the injured person reaches maximum medical improvement, meaning the point at which doctors can describe the long-term outlook. A car accident lawyer then prepares a demand package for the insurer containing the records and bills, along with a summary of damages. Some states regulate time-limited settlement demands by statute.

Settling before treatment ends

A release usually ends the claim for good, including any future medical costs tied to the crash. When a doctor expects surgery or ongoing care, those future costs are usually estimated before a demand goes out. A written opinion from the treating doctor 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 has to be filed before the statute of limitations runs. 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 request 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 money is distributed, liens from health plans, Medicare or Medicaid may need to be resolved, and settlements for minors may need court approval in many states. A motor vehicle accident attorney should provide a written closing statement that shows the fee, the costs and the net recovery. This timeline is general information, not legal advice, and no article can predict how long a claim will take.