

WHAT YOU SHOULD KNOW ABOUT THE LAW II

By: Vincent Petrosino

In this article we briefly explore what you should do in the event of an automobile accident. Most of us could not imagine suing anyone. Unfortunately, serious accidents occur everyday. Insurance companies and corporations that may be liable for your injuries are rarely forthright, and do everything in their power to avoid paying fair and legitimate damages for injuries sustained. Fortunately, we live in a country that allows every citizen to go to court and seek fair and reasonable compensation for such injuries. The objective of any lawsuit is to make the injured party “whole” (in other words, to be in the same position he or she would have been had the accident not happened).

This article seeks to give an overview of what you need to do in order to protect yourself and your family in the event of an accident and/or injury. By reading this before an accident occurs, you can better ensure your rights should one occur. The old adage “an ounce of prevention is worth a pound of cure” applies to automobile accidents as well. Although, under Illinois Mandatory Insurance laws, every vehicle operating on the roadway must be covered by automobile liability insurance, the reality is that many drivers simply do not purchase insurance. Others purchase the bare minimum of Twenty Thousand (\$20,000.00) Dollars per person. This is woefully insufficient to compensate for serious injuries.

Accordingly, I strongly encourage every member who is reading this article to purchase uninsured and underinsured motorist coverage (UM/UIM) of at least one hundred thousand dollars (\$100,00.00), or an amount equal to your liability limits if they are higher than one hundred thousand dollars (\$100,000.00). This is for your protection and the only way to ensure that you and your loved ones are protected. It is also important to know that this coverage not only applies to persons in your vehicle, but also to you and your family members if you are struck walking, riding a bicycle, or in someone else’s vehicle.

In the event of a personal injury accident, no matter what type, prompt investigation is critical to the success of any eventual personal injury litigation. It is important to do the following:

1. Immediately report your accident to the police, security or premises management;
2. Do not give a recorded statement at the scene or before speaking to an attorney;
3. Go immediately to an emergency room from the scene of the accident;
4. Get the names and phone numbers of any witness(es) to the accident;
5. Do not give a statement or speak to insurance adjusters or investigators; and
6. Obtain photographs of the damaged vehicles or the premises where the accident happened as soon as possible.

You should also know that, under Illinois law, an injured party is given a set period of time in which to file a lawsuit, what is known as a “Statute of Limitations.” If you fail to file a lawsuit within the Statute of Limitations, you cannot sue. The best way to protect yourself and loved ones is to consult an attorney as soon as possible after an accident.

If you have any questions or for more information on this article, I strongly urge you to call me, Vincent Petrosino, or one of my partners at (312) 207-0000. We will be happy to sit down with you free of charge. All cases are handled on a contingent fee basis, which simply means that no attorney's fees will be charged unless we are successful in obtaining fair compensation for you.

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