

FREQUENTLY ASKED QUESTIONS

WHY DO I NEED A LAWYER?

Personal injury cases can be complicated. Insurance companies may provide you with an offer that is not reflective of your injuries. A lawyer will review your case thoroughly to ensure you receive just compensation for your injuries. Arguing a personal injury case involves extensive review of medical records, a thorough analysis of the many ways in which the collision has affected you and defending against claims the third party may bring forward against you.

WHEN WILL MY CASE SETTLE?

Each case is unique and the time it takes for your case to resolve depends on several factors, such as the extent of your injuries and your recovery process. Keep your lawyer informed of your progress and treatments to help them determine how to proceed with your claim.

HOW MUCH WILL MY CASE SETTLE FOR?

We cannot determine how much your case is worth until we assess the different heads of damages. This process takes time and depends on the severity of your injuries, the extent of your recovery and the long term impact of this collision on your life.



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NAVIGATING A PERSONAL INJURY CLAIM

WHAT YOU NEED TO
KNOW WHEN YOU'VE BEEN
IN A COLLISION

WHAT TO EXPECT

Free Initial Consultation

If you have been in a collision, contact our office to book your free consultation. We have experience dealing with motor vehicle collisions, pedestrian collisions and cyclist collisions. Our lawyers will assess your situation and provide you with an outline of your options.

Your Treatment and Recovery

A large part of your involvement in your personal injury file will consist of attending treatments with various medical professionals such as your family doctor, specialists, physiotherapist or others. Some of your treatments may be covered by "Section B". Section B coverage is included in your car insurance policy and is provided regardless of who is at fault.

Settlement

Once you are ready to settle your claim, your lawyer will begin negotiations with the other side and will discuss the offer and your options with you.

Mediation and Litigation

If an agreement is not reached during the settlement process, your personal injury file may go to mediation or dispute resolution. Most personal injury cases do not go to trial but if your file gets to the trial stage, your lawyer will present evidence and arguments on your behalf before the judge.

DAMAGES

There are different categories of damages that relate to personal injury claims. The damages sustained may be different depending on your circumstances and some categories may not apply to you.

1. General Damages

This category includes damages for pain and suffering, and loss of enjoyment of life. Evidence used to support claims under this category include charts, notes and reports from your doctor, specialist, physiotherapist, or dentist. It is important that you visit your doctor and all other applicable medical practitioners on a regular basis throughout your recovery.

2. Special Damages

These are damages for out-of-pocket expenses and can include the cost of physiotherapy and chiropractic treatments not covered by another health care or insurance provider, medication, loss of personal effects, travel expenses, cost of hospitalization and other out-of-pocket costs.

3. Loss of Income & Loss of Prospective Earnings

This category includes damages for loss of income and loss of future earning capacity. Depending on your circumstances, you may have a claim. For example: if you are unable to return to work; if you are working reduced hours; if you are working on modified duties; or if you are forced to retrain in a new occupation which does not have the same level of employment earnings or opportunities you would have enjoyed but for the injuries sustained.

4. Costs of Future Care & Other Expenses

You may be eligible to claim damages which arise from the need for future care.

5. Loss of Housekeeping Capacity

This category includes damages for the inability or reduced ability to perform certain housekeeping tasks.

BUILDING YOUR CLAIM

WHAT TO DO

Visit your doctor and attend treatment

- ◆ Following your injury, it is important to see your family doctor regularly and to continue treatment. Tell your doctor about any new, aggravated or continuing symptoms you are experiencing.

Maintain communication with your lawyer

- ◆ It is important that you stay in contact with your lawyer and maintain communication throughout the duration of your case.

Keep track of your progress and documents

- ◆ Keep a diary to record your injuries and how you are progressing. Keep all important documents such as receipts, notations and appointment slips.

WHAT NOT TO DO

Do not discuss your case outside of your lawyer's office

- ◆ Do not discuss the details of your case with anyone else.

Do not contact the third party's insurance

- ◆ Once you have retained a lawyer, do not communicate with the third party's insurance. Your lawyer will handle all communication with third party.

Do not post on social media

- ◆ Although a picture or a post represents a small moment in time, it can still be used as evidence to discredit the extent of your injuries.