



HOUSTON CAR ACCIDENT GUIDE

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If you have been in a car accident, you will know the fear that follows a collision. There is so much to worry about after a crash and you may be wondering how you are going to manage it all. The injuries you sustain from this car accident can potentially follow you around lifelong and you want to make sure you are compensated for all these damages.

Minor fender benders and head-on collisions alike can have major consequences, as even the smallest car accident can injure a driver, a passenger, a pedestrian, or all three. If you were injured in an auto accident in the Harris County area, be sure to reach out to a Houston car accident lawyer as soon as possible to receive the legal representation you need.

Here at Longoria Law, we know how to protect you from the insurance companies and get you the compensation that is fair and just in accordance to the severity of your injuries. We provide strong and dedicated legal representation to the people of Houston. We won't settle for low settlement offers from the insurance companies and neither should you.

FIRST STEPS AFTER A CAR ACCIDENT IN HOUSTON

Even if you have been lucky enough to never have been involved in a collision in Texas, it never hurts to be prepared for such a life-changing event. After all, as the dust settles following the crash, you do not necessarily have the wherewithal to call up a lawyer for guidance.

Whether or not you are responsible for the accident, you are not legally allowed to leave the scene until you have spoken to law enforcement and received permission to go. Your highest priority is to get yourself to safety as well as any other parties involved. Be aware of any hazards such as leaking gas, sudden fires, and oncoming traffic as you move to safety. If you

believe you are seriously injured and cannot move because of it, your priority becomes seeking emergency medical treatment. Ask anyone nearby to call law enforcement and an ambulance on your behalf.

If you have not sustained serious and debilitating injuries, you should call 911 immediately in order to report the accident to the Police Department and request an ambulance if need be. Do not try to move anyone who has been seriously injured, and do not try to move yourself if you are in significant pain. If you do so, you run the risk of worsening an injury before an emergency medical professional can begin to treat it.

You can begin to take stock of the car accident even before the police and an ambulance have arrived. You are compelled by law, of course, to exchange information with all other parties involved in the car accident. You should be ready to provide your name, address, license plate number, and insurance information upon request. Take as many photos of the scene of the accident as you can and be sure to collect accounts from witnesses. Once you reach out to a car accident lawyer, you will need to use this information in any claims you make and lawsuits you file.



THE AFTERMATH OF A CAR ACCIDENT

Some people are lucky and survive motor vehicle collisions with few to no injuries. However, it is best to prepare for the worst just in case it comes to pass. The most common injuries stemming from car accidents are those to the head and neck. When a car, motorcycle, or truck comes to an abrupt stop, drivers and passengers can easily strike their heads against steering wheels, dashboards, projectiles, and even windshields. Traumatic brain injuries often result, and while some may be temporary concussions, those who survive car accidents can still suffer lasting cognitive damage.

Whiplash, the ligament and muscle damage that occurs in the neck when the head is jerked back and forth, is also common.

Other injuries that follow car accidents include trauma to the spinal cord, which can lead to permanent nerve damage; herniated disks, caused by displaced cartilage in the spinal column; tears in the anterior cruciate ligament (ACL); broken bones; and even collapsed lungs. All these injuries can be a burden to overcome, and it is important to document every last detail. This way, your car accident attorney will be better able to help you receive necessary health insurance coverage.

CAR ACCIDENT STATISTICS

Car accidents in the Lone Star State are on the rise, and drivers have to take extra precautions to ensure their safety. The Texas Department of Transportation reports that in 2016, a new car accident occurred in Texas every 57 seconds, and 3,773 drivers and passengers died—a more than five percent increase in the fatality rate from 2015. Throughout the state, 265,076 people (or about one percent of all Texans) sustained injuries in car accidents that year. Because one out of every one hundred people in Texas will endure an auto accident this year, having a trusted car accident attorney on call is an asset.

CAR ACCIDENTS IN HOUSTON, TEXAS: A LOCAL AND STATEWIDE CRISIS

Houston is one of the hardest-hit cities in Texas by the national epidemic of automotive collisions, gaining notoriety for its sheer number of accidents. As car accident lawyers in the Houston metropolitan area can testify, the alarming frequency of crashes, pileups, and wrecks in Harris County has forced local auto insurance rates and medical costs to rapidly escalate. Houston

drivers are more than twice as likely as the average American to be involved in a vehicle collision, and more than 200 car accidents happen in the Greater Houston area (including Sugar Land, Galveston, and The Woodlands) every single day.

There are several reasons behind this markedly high rate of collisions. Insufficient funding of the Houston Police Department allows fewer traffic control officers to monitor congestion and issue tickets to violators. Urban sprawl and a rapid population expansion means that drivers have to rely on smaller, less developed, and less safe roadways in order to avoid widespread gridlock. Greater Houston's population growth has been so meteoric, in fact, that local infrastructure cannot keep up with the pace, and newcomers to Texas frequently speed down potholed roadways and through poorly designed intersections, elevating the possibility of a car accident at every turn. All these factors together spell out that Houston drivers put their lives at risk every morning when they commute to work.

WHEN SHOULD I CONTACT A CAR ACCIDENT ATTORNEY?

It may be tempting to think that a simple fender bender can result in a “no harm, no foul” situation, but the truth is that you will need the help of a Houston car accident lawyer with experience in Texas state law to advocate on your behalf. The last thing you will want is to become caught in a long legal battle over insurance coverage or responsibility for the accident. If you have recently experienced a motor vehicle collision, contact Houston car accident lawyer Hector Longoria for help in navigating the next steps.

Because of his extensive experience in these types of cases, Hector understands the physical, emotional, and financial burdens that come with an auto accident or injury. His goal is to help you and lessen the stress. Hector will deal with the insurance companies, adjusters, and defense lawyers to make sure your rights are being protected.



FREQUENTLY ASKED CAR ACCIDENT QUESTIONS

Why Should I See an Attorney After a Car Accident?

Seeing an attorney after a car accident is so important. One of the primary reasons is, if it is a serious crash, you do not yet understand the full extent of your damages and injuries and how valuable they may be. It's going to take time in talking with the medical providers, getting your objective and subjective diagnosis, to understand the full extent of your injuries. Once we know that, you then have to present those injuries, whether it be to the defense insurance companies or even to the defense lawyers if we have to file litigation. Then, they're going to make an assessment and they're going to judge your claim.

What you will not find surprising is the insurance companies and the defense lawyers, are not going to value your damages or your injuries. That's where I come in to help them appreciate and understand that one, your damages and injuries are true, and they have value. If necessary, we will take your damages and injuries, and the case of why the defendant caused these damages and injuries, to a jury and to a judge and allow them to assess that. That's important because a lawyer's job is to make sure that the injuries and damages you sustained have value, and we present those values.

What is the Biggest Car Accident Case Mistake?

A client tried to be tough and didn't go get the medical care he needed immediately. Here he was, five weeks later without having seen a doctor, still having the same pain and now it's even worse. Typically, what happens is the insurance companies provide zero value on a claim like that. The most

important thing to do is immediately go see your healthcare provider after a crash. You should seek treatment so that you can identify the injuries that you have.

What is the Value of My Auto Case?

A lot of times, people will judge the value of a case purely on the medicals. However, there are other things that are called intangible damages – this is the mental anguish, physical impairment, and physical injuries that the person sustained. That too has value. Intangible damages are important because as you go through the litigation process, we place value on it and show, if necessary, a judge and jury the value of those damages. Because each case varies, it all depends on the severity of the crash and injuries.

Why is PIP Insurance Important?

PIP insurance is short for personal injury protection. Not all people carry PIP insurance, but you need to check your insurance policy to see if there are certain provisions that are afforded to you (PIP is one of them) so that if you do get medical care after a crash, there is that amount of insurance that will pay to cover those medical expenses that you incurred as a result of the crash. These expenses typically cover up to \$2,500 and sometimes even as much as \$5,000.

How Long Does a Car Accident Claim Take?

Unfortunately, with severe damages, we are not just talking about the physical aspect or the pain you are in. These damages also impact your employment and ability to earn wages. It's difficult because people are going to have to suffer the long-term consequences of those injuries, whether it be their job, their family or their own lives.

Lawsuits and claims like these don't resolve over night; they take time. I tell clients to be as patient as they possibly can be. The length of a car accident claim may take anywhere from a year or longer. It all depends on the severity of the injuries and taking the time to make sure we truly understand the

injuries that they suffered as a result of the crash. I ask them to do their very best in terms of treating the injuries and then also trying to get back to work. It is important that they are working with their employers on making accommodations to allow them to get back.

What are the Recoverable Injuries in a Car Accident?

There are the medical expenses that one incurs from being treated. Additionally, you have the physical pain and mental anguish that are allowed by Texas law to be recoverable. You also potentially have lost wages if the injury impacts your ability to work. It can also affect spouses, which is a loss of consortium claim. There are a lot of intangible damages, depending on the facts and circumstances, that a client may be able to recover in their case. It's important that you sit down with an attorney and talk about all those. At our firm, we talk about the impact that the crash and the injuries has had on the client's life in total, so that we can understand and make sure we get those claims and damages and assert those so that we can get full compensation for them.



What Should I Do if I'm Seriously Injured in a Car Accident?

You need to go see a primary care doctor or go to the emergency room if you feel as though the injuries that you sustained could be life-threatening. After that, it's important that they do come see a lawyer. The insurance company that represents the defendant driver who caused this crash is not going to represent your interest, so it's important that you get the proper legal advice. If you are seriously injured in a car crash, go get your medical care, or go to the emergency room, but then call my office.

Who Pays my Car Accident-Related Medical Bills?

If you have health insurance, your provider is intended to pay for these healthcare costs, so use your insurance. Not everybody has health insurance, so if you do go to the emergency room, that hospital is going to have a medical lien on any recovery in the future. Additionally, there are a lot of doctors who understand that the defendant and the defendant's insurance company will pay these medical expenses sometime in the future, once the case is resolved.

A lot of these doctors, thankfully, will hold on to these bills and wait until the claim gets settled or resolved, and then they will wait to get compensated. It's important that you do go seek that medical treatment that you believe is reasonable and necessary to care for your injuries. We will then make arrangements with those doctors on how that will get paid.

What Are the Auto Accident Claim Time Limits?

In Texas our auto accident claim time limits are different than other states. We have what's called a two-year statute of limitations. That means you have two years from the date of the crash to bring a lawsuit in court against the defendant for the injuries they caused. It's important that we start this process as soon as possible. It is important to make sure we preserve the evidence that the defendants have, which may disappear over time. That could hurt your case if it's not there. Even though you may have a two-year statute of limitation, it's important to bring the claim as soon as possible, or to at least begin gathering the evidence on your claim as soon as possible, to protect your rights and your interests.

Should I Be Talking to the At-Fault Driver's Insurance Company?

The information you provide insurance companies is not going to be designed to protect your interest. Especially in the future if they deny the claim or they value your claim low so that you then have to go file a lawsuit. They're

going to try and use all the information you provided them against you. It's important that you understand that, and that you get somebody who's going to represent you against the insurance company and make sure that the information they get is in your best interest. The insurance companies and the defendants are not there to help or protect you. That's why you need an attorney to help provide them that information.

What If the At-Fault Driver is Uninsured?

Clients are often scared that they won't be compensated for the injuries sustained, both to their car and to their body because of an uninsured at-fault driver. Investigation is an essential element for each case. We have to dig a little bit deeper and try to see if that person does have insurance.

Some people carry full coverage, which means that they have uninsured and underinsured insurance on their car. If the defendant, in fact, did not have insurance, then the client themselves can cover those circumstance with their own insurance. Again, it's important that we look at every case to try to find the insurance policy that will provide that coverage for the injuries that a client sustained.

Should I Accept the First Settlement Offer?

Typically, the amount of money that an insurance company initially offers a person who's been injured is not worth taking. They don't care about the value of your client. They just want to try to settle it quickly, fast and as cheap as possible, with no appreciation of the injuries you received or the damages you sustained in the past and in the future. It's important that you get a lawyer to represent you because the insurance companies need to know that your injuries have value, and that you're willing to prosecute that to make sure they appreciate it and compensate you fairly and justly. Therefore, the usual answer I give to client who ask if they should be accepting the first settlement offer, is no.

WHY CHOOSE LONGORIA LAW FIRM?

Free Initial Consultation

When you're injured in an accident, you often feel the financial impact immediately. Choosing the right attorney shouldn't add to that distress. We offer free consultations for all clients so you can get the answers you need without worrying about taking on another financial burden.

No Recovery, No Fee

At the Longoria Law Firm, we handle all personal injury cases on a contingency basis. This means that it will not cost you any money up front to retain us and have us represent you. Furthermore, you don't pay any fees unless we recover money for you.

Over \$200 Million Recovered

With over 20 years of experience, Houston injury lawyer Hector Longoria has obtained Court judgments and settlements for his clients in excess of \$200 million. Don't put your future in the hands of an amateur. Contact us today and let our experience work for you.



ABOUT THE AUTHOR:

Attorney Hector Garcia Longoria was born in Galveston Texas, the youngest of five sons, to Matias and Edelmira Longoria. His mother was a school teacher in Cerralvo, Mexico and his father a police officer in Monterrey, Mexico. Shortly after marrying in 1951, his parents made the decision to come to the United States to build a better life for their family. In the United States, Hector's parents worked on farms in California and Florida before moving to Galveston, where Hector's father worked as a longshoreman.

Hector's parents were determined to see their children succeed; taught him the value of hard work; and the importance of family and respect. Hector graduated from Galveston Ball High School in 1987. Hector then attended Texas A&M University on a scholarship. In May 1992, Hector graduated from Texas A&M University with a Bachelor of Arts degree in Economics and minors in History and Finance.

With guidance from his parents, Hector then attended law school at the University of Texas beginning in August 1992. During the summer semester in 1993, Hector attended the University of Houston-Mexican Legal Studies in Mexico City, Mexico. In Mexico City, Hector had an opportunity to work as a law clerk for Rich Heather y Mueller S.C. During law school. Hector was also on the Board of Advocates, a member of the National Latino Moot Court Team, a finalist in the Vial Hamilton Endowed Mock Trial, a quarterfinalist in the Susman Godfrey Endowed Moot Court and operations manager for the Hispanic Law Journal. In May 1995, Hector graduated with a Doctor of Jurisprudence from the University of Texas in. Hector became a member of the Texas Bar in November 1995 and has been a practicing attorney in Houston ever since.

As a lawyer, Hector works hard fighting for his client's rights. Hector devotes his practice to representing clients who have been victims of automobile,

trucking, industrial, and work-related accidents that result in severe injuries to the client and client's family members. Hector understands the importance of being prepared in front the judge and the jury.

In addition to being admitted to practice in Texas state Courts, Hector is also admitted to practice in the Eastern, Southern and Northern United States District Court of Texas and the United States Court of Appeals for the Fifth Circuit. Hector has also worked on cases in California, Louisiana, New Mexico, Illinois, Pennsylvania, and New York. Please call Hector if you have any questions regarding your legal rights.



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