

Free Report

Ten things you need to know to protect yourself and your family if you are in a wreck

A few years ago I was rear-ended by another driver. He was only going about 15 miles per hour, but it felt like a freight train hit me. He knocked my truck into the center of the intersection, and I was sore for weeks. Fortunately I was wearing my seat belt.

I hope this never happens to you! But if it does, you can expect to be shook up and unable to concentrate after the accident. By keeping these few simple things in mind, you can make a big difference in protecting yourself and your family in case of a wreck. Better yet, print this page and put it in your glove compartment.

1. Call 911 immediately and report the accident. Insist that a police officer come to the scene and make a report, especially if the accident was not your fault. Follow all instructions from police and ambulance workers.

2. Unless you are taken by ambulance, do not leave the scene until the police arrive. Remember, **IT IS AGAINST THE LAW TO LEAVE THE SCENE OF AN ACCIDENT WITHOUT REPORTING THE ACCIDENT**

NOTE: Under Missouri law, if you are driving and have an accident you must stop and give your name, complete residential address, motor vehicle number and driver's license number to the other driver or to a police officer. If no police officer is there, then you must go to the nearest police station and give them the information. Failure to do so could result in your arrest and criminal conviction.

3. Exchange information with other driver at the scene if you are able to do so, **BUT BE CAREFUL WHAT YOU SAY!** Regardless of who you think caused the accident, do not apologize or say anything that might suggest that the accident was your fault. Keep your conversation short and just exchange information. Watch for anything that might prove that the other driver was negligent, such as a cell phone on the seat, open McDonald's bags, beer cans, pets, etc., and report these things to the police.

4. Get the names and phone numbers of any passengers in the other car(s) and any witnesses or pedestrians who might have seen the accident.

5. Take photos of your car, the other driver's car and the accident scene. Get close-up pictures of any obvious injuries to yourself or your passenger(s). It is a good idea to buy a disposable camera and keep it in your glove box. I suggest that you spend an extra dollar or two and

get a camera with a flash. You can buy them for under \$5.00, and it may eventually save you or your insurance company thousands.

6. See a doctor immediately. Do not wait! This is critical for two reasons: First, you may be injured and not even know it. Second, by waiting or by failing to see a doctor altogether, you will likely hurt your chances to recover against the other driver's insurance policy for your bodily injuries. I thought I was ok after my accident, but I went straight to the doctor's office anyway. My pain and soreness didn't show up for several days, but I had a doctor's report to show that I had received treatment, which helped me recover some money from the insurance company.

NOTE: One of the biggest mistakes people make is waiting to see the doctor. This allows the insurance company to argue that your injuries weren't caused by the wreck, or, that you weren't injured at all! If you don't have a family doctor, go to the Emergency Room.

7. Report ALL your symptoms to your doctor. One of my injured clients had minor chest pains from the seat belt impact, which she ignored until her doctor told her that the impact could actually cause a breast tumor (fortunately, it didn't). My point is, you must tell your doctor everything about your injuries, keeping in mind that whatever you tell him will become part of his written report and may eventually be used by your lawyer to prove your injuries. This can make a big difference in the amount of money that your lawyer may recover for you. AGAIN, DO NOT tell your doctor that the accident was your fault, just talk about your injuries.
8. Take all reasonable steps to see that your passengers receive medical attention.
9. If you are admitted to the hospital, DO NOT talk directly with the insurance company people and DO NOT sign anything that they present to you at the hospital. The other driver's insurance company, or even your own insurance company, may contact you at the hospital and possibly offer you money to settle your claim. This usually means that your claim is worth much more than they are offering and that they want to settle with you before you are able to speak with a lawyer and learn the true value of your claim.
10. Contact a good lawyer as soon as possible. A good lawyer will offer to visit you at the hospital and will be completely honest with you about your case. For example, if the accident was clearly your fault, the lawyer may explain that this weakens your claim. Either way, it is always best to get a good lawyer involved as early as possible. If your injuries and your medical bills are minor then you may be able to settle

your claim by yourself. A good lawyer will also be honest enough to tell you this up front.

I sincerely hope you are never hurt in a car wreck. But if you are, I would like to help you if possible. I will appreciate the opportunity to serve as your lawyer, and although I don't often make promises, here are a few that I can make:

My promises to you:

- I will review your case at no charge, and I will be totally honest with you about the strengths and weaknesses of your case
 - I will not pressure you into signing anything
 - I will not take a fee unless I get money for you
 - I will not take your case unless I believe I can help you
- I will visit you at the hospital or at home if you are seriously injured and cannot come to my office (If I am unavailable when you call I will send a trained legal assistant, or if you are a long distance away I may ask another attorney to assist)
- I will refer you to the best and most experienced lawyer(s) if your case involves highly specialized medical or technical issues that are beyond my area of expertise
- I will strive to be an aggressive lawyer, a trusted advisor, and a friend

WHAT'S IN IT FOR ME?

I want to be your lawyer and I want to earn an honest fee, but ONLY IF I CAN HELP YOU.

INFORMATION ABOUT BARNEY NAIOTI

Before you hire me or any other lawyer, you have a right to know something about that lawyer's background and experience. Here is some information about me:

- Formerly served as the elected prosecuting attorney of Taney County Missouri
- Over 20 years of legal experience
- Member of the Missouri Bar Association, and Taney County Bar Association
- Former legal advisor and Board Member to the Lake's Area Boy's & Girl's Club
- City Attorney for Rockaway Beach, Missouri
- Featured on CBS's Inside Edition
- Law degree from University of Missouri Kansas City, where I won the national Trial Competition Award and other awards

- My staff and I take pride in treating our clients with honesty, courtesy and decency

OTHER CASES WE HANDLE

In addition to car accidents, we handle criminal defense, DUI and traffic defense, speeding tickets, divorce and family law, wills and small estate planning, worker's compensation, and general trial work.

BARNEY NAIOTI
Attorney At Law
601 W. Pacific Street
Branson, MO 65616
(417) 339-3777
e-mail: LawBranson@aol.com

"EVERY CLIENT'S CASE IS OUR MOST IMPORTANT CASE"

"Our clients deserve more than just a lawyer, they need and deserve a trusted advisor, an aggressive lawyer, and a friend!"

Barney Naioti