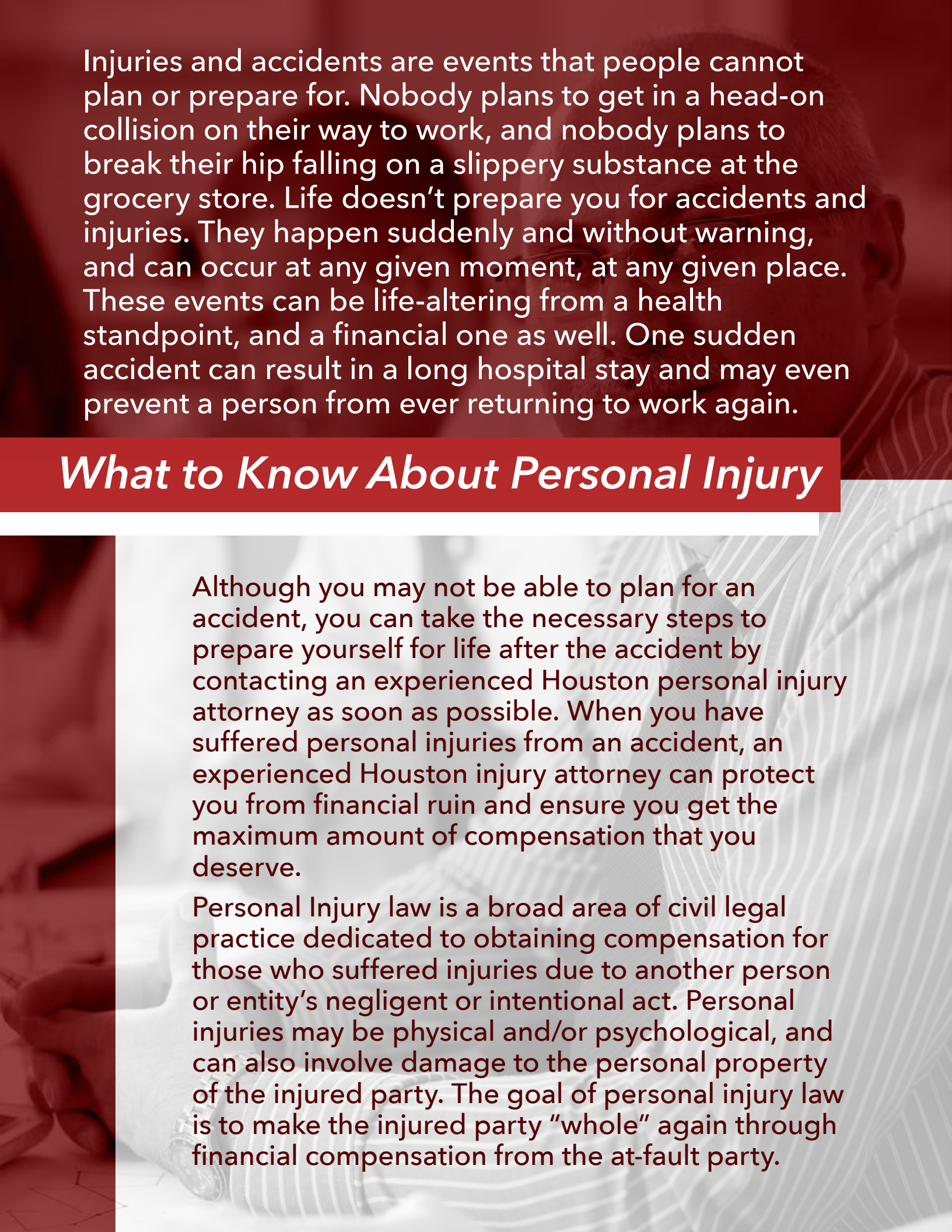




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# *Texas Personal Injury Guide*





Injuries and accidents are events that people cannot plan or prepare for. Nobody plans to get in a head-on collision on their way to work, and nobody plans to break their hip falling on a slippery substance at the grocery store. Life doesn't prepare you for accidents and injuries. They happen suddenly and without warning, and can occur at any given moment, at any given place. These events can be life-altering from a health standpoint, and a financial one as well. One sudden accident can result in a long hospital stay and may even prevent a person from ever returning to work again.

## ***What to Know About Personal Injury***

Although you may not be able to plan for an accident, you can take the necessary steps to prepare yourself for life after the accident by contacting an experienced Houston personal injury attorney as soon as possible. When you have suffered personal injuries from an accident, an experienced Houston injury attorney can protect you from financial ruin and ensure you get the maximum amount of compensation that you deserve.

Personal Injury law is a broad area of civil legal practice dedicated to obtaining compensation for those who suffered injuries due to another person or entity's negligent or intentional act. Personal injuries may be physical and/or psychological, and can also involve damage to the personal property of the injured party. The goal of personal injury law is to make the injured party "whole" again through financial compensation from the at-fault party.

# *What to Know About Personal Injury* (cont.)

Common causes of personal injuries are car accidents, motorcycle accidents, trucking accidents, bus accidents, and boating accidents. They may even involve injuries to pedestrians and cyclists. They can arise out of premises liability as a result of a landowner or property maintenance company's failure to safely maintain the property. Broken handrails, staircases, and damaged or slippery floors are common hazards. Personal injuries also occur as a result of defective products, on the job injuries, dog bites, assaults, as well as toxic exposure to molds, chemicals and other pollutants.

The list of those who may be at-fault for causing accidents and injuries is just as lengthy and varied as the causes of personal injuries themselves. The at-fault party can be an individual and/or an entity, or a combination thereof. Most personal injury cases involve at-fault parties with insurance policies that cover the negligent conduct of the insured. When you make an injury claim against the at-fault party, you are in effect making a claim against their insurance carrier who, with few exceptions, is contractually obligated to pay the damages on behalf of the at-fault party they insure. Insurance carriers have entire departments and divisions dedicated to defending the claims filed against them. Their claim handlers work full time defending claims with one major objective: to pay out as little money as possible. Claims reps are notorious for undervaluing cases and cajoling unrepresented parties into taking early settlements for a fraction of what they are truly worth.



## *Chapter 7 Personal Bankruptcy*

If you are injured in an accident due to the fault of another, you need an experienced and trusted Houston injury attorney to level the playing field for you. We have decades of experience ruthlessly fighting insurance companies to protect the rights of injured parties. We know all of the insurance companies' tricks and we will force their hand to see that you are fully compensated for all of your injuries, damages, and losses.

In Texas, an injured party generally has a two-year window following their injuries to pursue their claim against the at-fault party. This timeframe is called a state of limitations. If the party does not pursue their case within that time period, their claim is permanently time-barred, meaning they can no longer pursue a recovery for their injuries. Notwithstanding the two-year statute of limitations, which applies in most cases, if the at-fault party is governmental entity such as a town, city, school district, or law enforcement agency, the statute of limitations is only six months. While these time periods may sound long, in legal time they are actually very short. An injured party should contact a Houston injury attorney to ensure that all of the relevant filing deadlines are timely met so as not to run afoul of any statutes of limitations.

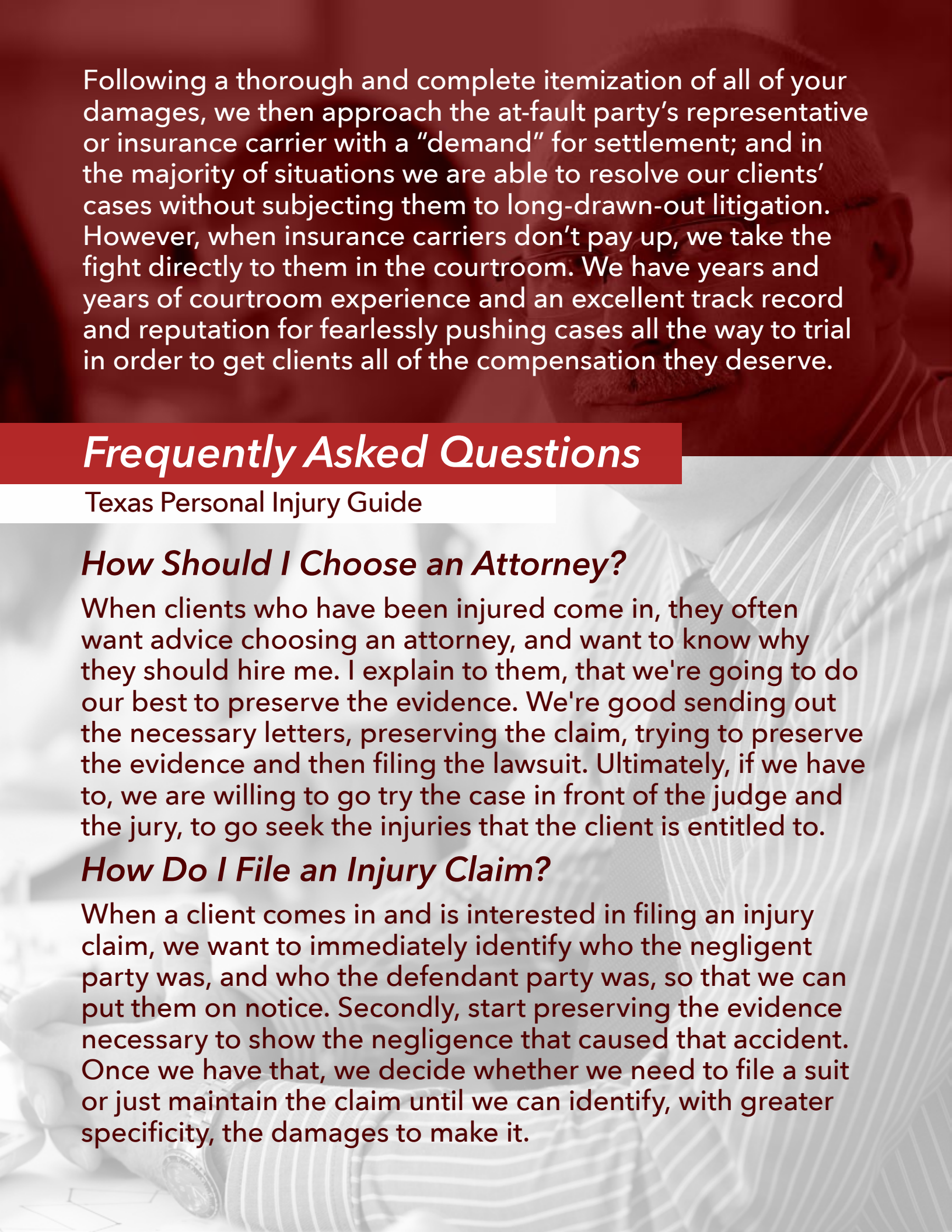
An injured party should also pursue their case as soon as possible to ensure the preservation of valuable physical evidence and vital witness testimony. As time elapses, physical evidence has a way of disappearing. Video footage capturing the accident may get lost or erased, accident scenes can change over time and damaged property may get thrown away or tossed aside. Similarly, people's memories often fade and witnesses' memories can become hazy and forgetful about key facts that could be essential to the case. It is paramount that the injured party contact an attorney immediately so that no critical case evidence is lost.

## *How an Attorney Can Help*

When you retain us, we get right to work on gathering your medical records and bills and begin itemizing all of your relevant damages, as we continue to monitor your medical progress. Itemizing and accounting for all of an injured parties' various categories of injuries and damages can be quite a tricky ordeal. It is best left up to an experienced personal injury attorney who will be sure to account for all of the injured parties' losses. When you are through with your medical treatment, we begin putting together a final itemization of all costs and expenses you incurred to date as a result of the accident. We also all anticipate future losses, such as the cost of future medical care and the amount of lost future earnings that may be at issue due to permanent injuries. Sometimes this may require the assistance of other professionals such as vocational experts, economists, and life care planners.

Texas law permits an injured party to recover both economic damages and noneconomic damages for their personal injuries. Economic damages include items such as past and future medical expenses, past lost wages, future lost wages for loss of earning capacity, loss of household services, property damage, and any other out-of-pocket expenses related to the accident. Noneconomic damages on the other hand consist of damages that cannot be monetarily quantified. They compensate an injured party for things such as past and future pain and suffering, permanent impairment or disability, past and present mental suffering, disfigurement and scarring, and loss of society for a spouse or parent. Our attorneys are sure to thoroughly cover each and all of these bases with you.





Following a thorough and complete itemization of all of your damages, we then approach the at-fault party's representative or insurance carrier with a "demand" for settlement; and in the majority of situations we are able to resolve our clients' cases without subjecting them to long-drawn-out litigation. However, when insurance carriers don't pay up, we take the fight directly to them in the courtroom. We have years and years of courtroom experience and an excellent track record and reputation for fearlessly pushing cases all the way to trial in order to get clients all of the compensation they deserve.

## ***Frequently Asked Questions***

### **Texas Personal Injury Guide**

#### ***How Should I Choose an Attorney?***

When clients who have been injured come in, they often want advice choosing an attorney, and want to know why they should hire me. I explain to them, that we're going to do our best to preserve the evidence. We're good sending out the necessary letters, preserving the claim, trying to preserve the evidence and then filing the lawsuit. Ultimately, if we have to, we are willing to go try the case in front of the judge and the jury, to go seek the injuries that the client is entitled to.

#### ***How Do I File an Injury Claim?***

When a client comes in and is interested in filing an injury claim, we want to immediately identify who the negligent party was, and who the defendant party was, so that we can put them on notice. Secondly, start preserving the evidence necessary to show the negligence that caused that accident. Once we have that, we decide whether we need to file a suit or just maintain the claim until we can identify, with greater specificity, the damages to make it.

## *What is the Biggest Injury Case Mistake?*

I had a client come in the other day, and we evaluated his claim. While doing so, I saw the biggest case mistake someone can make. He 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 things I can tell folks is to immediately go see your healthcare provider after a serious injury. You should seek treatment so that you can identify the injuries that you have.

## *What is the Value of My Case?*

Every client that I've had asks me what the value of their case is. The answer will vary because every case is independent, and every case is special. 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.





## *How Long Does an Injury Claim Take?*

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 an injury 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 accident. 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, so they can earn money.

## *What Steps Should I Take Following an Accident?*

I know a lot of times, I don't have the luxury of talking to clients before they're involved in crashes, so I don't get to educate them on the necessary steps following a truck accident. When I get clients in, I am looking for evidence that hopefully they have gather. The steps of gathering evidence include gathering evidence from the scene through photographs, getting eyewitness information, obtaining information from the vehicle's black boxes or the 18-wheeler's black boxes. It is important that we do those necessary steps to preserve the evidence that is available to us right then and there. If the case goes in front of a judge and jury, we need to have that evidence available to us to show the jury just what happened.



# *Call Our Attorney Today*

Accidents and injuries can strike without a moment's notice. They can happen any time or any place and have the power to completely devastate a person's health and financial well-being. While you may not be able to control when or how an accident happens, you can take steps to control how you recover. Hector Longoria is a strong, dedicated Houston personal injury attorney with knowledge, experience and a tiresome work ethic, who is here to help you.

If you or a loved one suffered personal injuries due to the fault of another, don't let the insurance companies manipulate you. Call us today so that we can level the playing field and fight for you. There are no hidden costs or out-of-pocket expenses. We work on a contingency fee basis and only get paid when we win your case. Call us today for a free consultation.



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