

What Is the Average Compensation for a Whiplash Injury?

Pittsburgh car accident attorneys committed to fighting for the rights of injured motorists

Whiplash is one of the most common [neck injuries](#) in a [car accident](#). While this injury typically occurs in rear-end collisions, it can be caused by any type of crash. One of the first questions on the minds of those affected is, “How much compensation can I expect?”

If you’ve suffered a whiplash injury in Pennsylvania, understanding what factors impact your compensation is key to a successful case outcome. An experienced Pittsburgh attorney at [Romanow Law Group](#) can help you pursue a successful claim and get the compensation you deserve. Read on to learn what goes into getting compensation for whiplash.

What factors influence whiplash injury compensation?

The compensation for a whiplash injury isn’t set in stone. It can range anywhere from \$10,000 to more than \$100,000. Various factors can influence the final amount you receive. This includes:

Severity of your injury

The more severe your whiplash, the higher the compensation you’ll likely receive. Mild cases might result in a few days of discomfort, while severe cases can lead to chronic pain, and require long-term treatment and rehabilitation.

Duration of recovery and impact on daily life

How long it takes you to recover plays a big role in your compensation. If your injury alters your lifestyle or affects your ability to perform everyday activities, your compensation will likely increase.

Medical expenses and ongoing treatment costs

Medical bills add up quickly. From initial emergency room visits to ongoing physical therapy, the cost of treating a whiplash injury can be steep. Any compensation you receive should cover all medical expenses, including future treatments until you reach maximum medical improvement.

Loss of income or earning capacity

If you can’t work because of your injury, you’re entitled to compensation for lost wages. This also includes future earning potential if your injury impacts your ability to perform your job. For example, if your whiplash limits your ability to lift heavy objects, and you work in construction, your compensation should reflect this loss.

Pain and suffering

While harder to quantify, you may be eligible for compensation for pain and suffering and other non-economic damages. This includes physical pain as well as emotional distress caused by the injury. The more your injury disrupts your life, the more you can expect in this area.

Comparative negligence in the accident

Pennsylvania follows a [modified comparative negligence rule](#). This means if you share some fault in a car accident, your compensation might decrease. For example, if you're found to be 20% at fault, your total compensation gets reduced by 20%.

What is the typical timeline for receiving compensation for a whiplash injury?

Patience is key when pursuing compensation for a whiplash injury. The timeline can vary and typically includes:

Initial medical treatment and documentation

After your car accident, you should seek medical treatment immediately. Your doctor's diagnosis and treatment plan will form the basis of your injury claim. Keep all medical records, proof of lost wages and income, and other documentation that proves your injury and the impact it has on your life.

Filing a claim and insurance company response time

Once you've received initial medical treatment, file a claim with your insurance company. They typically respond within 30 days. The sooner you file, the sooner you can get the ball rolling on your claim.

When reporting your car accident, only provide the basic facts: the date, time, location, and who was involved in the crash. Don't discuss how the car accident happened or who was at fault. Anything you tell insurance companies (even your own) can potentially hurt your claim.

Negotiation period for settlement offers

If you're seeking damages from the other driver's insurance company, they may offer a settlement after a negotiation period. However, you should be very careful when speaking to the other driver's insurer and accepting a settlement offer.

If the other driver's insurance adjuster contacts you, avoid giving them a recorded statement, as it can be used against you. Instead, seek help from an experienced car accident lawyer who can communicate with them and negotiate for a settlement on your behalf.

This process can take several weeks to a few months, depending on how cooperative the insurance company is. It's not advisable to accept the first settlement offer that comes along, as it might not cover the full extent of your current and future damages. Let an attorney accurately value your claim and negotiate for a higher amount if necessary.

Potential delays due to litigation

If an attorney can't reach a settlement with the other driver's insurance company, your case may need to go to trial. Litigation can delay the process of getting compensation and sometimes take over a year to resolve. However, this step might be necessary to get the full compensation you deserve.

Final settlement or court verdict

Whether you settle out of court or go to trial, the final step is receiving your compensation. In most cases, you'll receive the settlement within a few weeks of reaching an agreement. If your case goes to trial, and you win, the timeline might be extended depending on any potential appeals.

What are common misconceptions about whiplash injury compensation?

Many misconceptions surround whiplash injury compensation. For example:

Whiplash injuries are always minor

Whiplash injuries can range from mild to severe. While some cases resolve quickly, others lead to chronic pain and long-term treatment. Don't let the term "whiplash" fool you; these injuries can be serious.

You can't get compensation without visible injuries

Whiplash doesn't always leave visible marks, but that doesn't mean it isn't real or deserving of compensation. Medical documentation of your symptoms and treatment is key to proving your case.

The insurance company will automatically offer a fair settlement

Insurance companies aim to pay as little as possible. Without legal representation, you might accept an offer that doesn't fully cover your expenses. In many cases, insurance companies try to shift the blame and take advantage of Pennsylvania's comparative negligence rule. The more blame they shift onto you, the less they have to pay.

Sometimes, insurance companies will go as far as to claim that your injury is unrelated to your car accident. That's why it's important to seek medical help immediately and get a prompt diagnosis.

Hiring a lawyer is too expensive

You don't need to be able to afford a lawyer to hire one. The attorneys at Romanow Law Group work on a contingency fee basis. This means that we only get paid if we win your case. This arrangement allows you to pursue compensation without worrying about upfront legal fees.

Our Pittsburgh car accident lawyers will take your case seriously from the start

If you've sustained whiplash or a severe neck injury in a car accident, don't let the insurance companies diminish your pain or deny you the compensation you deserve. At [Romanow Law Group](#), our Pittsburgh attorneys are relentless in taking on the insurance companies and ensuring that negligent parties are held accountable.

Our experienced legal team is dedicated to securing the maximum compensation for injured motorists. We can build a strong case and ensure you receive the medical care and financial compensation you need. [Contact us](#) today to schedule a free consultation and start your path toward recovery and justice.