

When Should I Accept a Settlement After a Car Accident?

After a crash, it's important to recover the maximum compensation you deserve

Navigating the aftermath of a car accident in Pittsburgh can be overwhelming, especially when dealing with insurance companies. One of the critical decisions you'll face is whether or not to accept a settlement offer from an insurance adjuster.

Understanding the right time to accept a settlement can seem counterintuitive. An experienced Pittsburgh [car accident lawyer](#) can help guide you in the right direction so you get the best possible outcome for your case and don't have to pay out of pocket for your accident-related expenses.

How does the settlement process work after a car accident?

The settlement process typically begins with the insurance company making an initial settlement offer to cover damages such as medical expenses, lost wages, and vehicle repairs. If your attorney deems the offer insufficient, which is often the case with initial settlement offers, they may negotiate for a higher amount.

This negotiation typically involves presenting additional evidence or documentation to justify the need for more compensation. If an agreement is reached, you would need to sign a release form and agree not to pursue any further legal action in exchange for the agreed settlement amount.

Following a car accident, the biggest mistake one can make is assuming they don't need an attorney because they believe insurance adjusters will act fairly. However, statistics show that negotiating alone often leads to lower settlements compared to having legal representation, even after attorney fees.

Insurance adjusters aim to settle claims for the least amount possible, indifferent to the victim's medical bills, lost wages, or pain. They may offer quick settlements before victims understand the full extent of their injuries or drag out the process with excessive paperwork and delays. The best course of action is to seek legal representation from an experienced car accident attorney who can navigate the system effectively.

How do I evaluate a settlement offer after a car accident?

Insurance companies are in the business of making money, and paying out as little as possible on claims helps their bottom line. That's why it's important to thoroughly evaluate a settlement offer before accepting it. Below, you'll find some guidelines to consider.

Assess your damages and injuries

Start by assessing the full extent of your damages and injuries. This includes medical expenses, lost wages, and other out-of-pocket costs. For injuries, consider both current and future medical needs.

Calculate non-economic damages

Non-economic damages such as pain and suffering, emotional distress, and reduced quality of life are harder to quantify but equally important. While non-economic damages are subjective, a lawyer can help estimate these damages.

Consider future damages

If your injuries have long-term consequences, this can significantly impact the settlement amount. Future medical treatments, ongoing care, and potential loss of earning capacity must be factored into any settlement.

Does liability affect my car accident settlement?

Pennsylvania follows the [modified comparative negligence rule](#) with a fault threshold for receiving compensation at 51%. This means you can seek compensation if you're less than 51% at fault for your car accident. However, your compensation will be reduced proportionally by your percentage of fault.

For example, let's say you're 25% at fault, and your damages amount to \$100,000. In this case, you would be eligible for \$75,000 in compensation.

How long does it take to get a settlement after a car accident?

Getting an adequate settlement offer can take some time. Insurance companies bank on your urgency to settle quickly, often before the full extent of damages and injuries is known. Every case is unique, but here is a general timeline you can expect for a car accident settlement:

Immediate aftermath (days 1-3)

During this time, you would need to get medical attention. You can also strengthen your claim by gathering initial evidence. This includes crash scene photos, witness information, and the police report.

Insurance notification (days 1-10)

You should notify your insurance company as soon as possible about your car accident. Provide basic information about the car accident, such as the date, location, and parties involved. Also, mention that you sustained an injury and sought medical attention. Don't discuss or admit fault, as this can jeopardize your claim. Stick to the facts of what you know.

Medical treatment and recovery (days to weeks/months)

After getting a medical evaluation, you'll begin medical treatment. The duration of treatment will depend on the severity of your injuries and their impact on your life. It's important to reach maximum medical improvement (MMI) to fully understand the extent of your injuries and future medical needs.

Filing the claim (weeks to months)

Once you have taken all the initial steps, you'll need to file a car accident claim with the insurance company. This can be a complex task. However, an experienced car accident lawyer can handle this for you. Just make sure you consult with an attorney and file your claim within Pennsylvania's statute of limitations, which is two years from the date of your collision.

Gathering evidence (weeks to months)

During this time, an attorney will gather evidence to prove both the legitimacy of your injuries and the other driver's negligence. For example, they'll gather photos, video, witness statements, and the details outlined in the police report.

Settlement offers and negotiations (1-6 months)

During this phase, the insurance company may make an initial settlement offer. Your attorney will negotiate with the insurance company by making counteroffers.

This process can be relatively quick or may drag on. That depends on whether there are disputes with liability or the validity of your injuries. An insurance company's willingness to settle and be responsive can also impact the timeline of this phase.

Agreement and payment (1-2 months)

Once a settlement is agreed upon, the insurance company will process the payment. The time frame for receiving the settlement check can vary, but it's typically a few weeks.

How do I respond to a settlement after a car accident?

Before responding to a settlement offer, ensure you understand what is being covered. If you receive an adequate settlement, you'll need to respond to the offer in writing. Clearly state whether you're accepting, rejecting, or countering an offer.

Also, provide reasons and evidence to support your decision. This can include documents such as medical records, pay stubs, or car repair bills.

What happens if I accept a settlement offer too soon?

Accepting a quick settlement after a car accident is generally not the best practice. Once you accept a settlement offer from insurance companies, you'll be barred from pursuing additional compensation.

If you accept a settlement that doesn't cover the full extent of your damage, you could find yourself paying out-of-pocket for medical bills and vehicle repairs. Plus, you may not receive the full amount of lost wages or future earning capacity while you're unable to work.

What if the other driver's insurance company won't settle?

Most car accident cases are settled out of court. In fact, many insurance companies don't want to go through the trouble of litigation, especially if they don't have a strong case against you. However, some insurance companies aren't always willing to settle. When this occurs, your attorney will be prepared to take your case to trial.

That means your attorney will make an argument in your favor and present the evidence before a judge and jury. This may also include calling on witnesses and crash reconstruction experts to testify. Your attorney's goal would be to fight for a maximum verdict on your behalf.

Even if your case goes to trial, it's important to remember that settlements can still be reached during the litigation process. In fact, many cases are settled before reaching a final verdict in court.

Your attorney will continue negotiating with the insurance company or opposing party throughout the trial proceedings, aiming to reach a favorable settlement that fairly compensates you for your injuries and losses. This negotiation process can occur at any stage of the trial, providing opportunities for resolution without the need for a full trial verdict.

How can having an attorney make a difference in my settlement?

If you handle your car accident claim alone, you could find yourself outmatched by insurance companies and their lawyers. When you hire an attorney, they will be your legal advocate and guide from start to finish.

An attorney will inform you of your rights and which course of action to take. They'll thoroughly investigate your car accident to establish liability and determine how much money you're eligible for in a settlement.

Your lawyer can also act as a buffer between you and the other driver's insurance company. This means you don't have to provide a recorded statement or speak to the other driver's insurance company at all. Your attorney can handle all communications and negotiations so the insurance companies don't take advantage of you.

Protect your rights with an experienced car accident lawyer

The legal team at [Romanow Law Group](#) knows the tactics insurance companies use to keep their costs down. We know how to beat them at their own game and get maximum compensation for our clients.

If you or a loved one were injured in a crash, we would be glad to help you explore your legal options and answer any questions you have. To find out how we can help you, [contact us online](#) or call our Pittsburgh law office to schedule your free consultation.

Click here to download a printable PDF of this article, "When Should I Accept a Settlement After a Car Accident?"