

Legal advice for accident victims

By Sandy Zaitzeff
An Accident - What should I do?

This is a question that is often asked by someone who is involved in an accident, whether it be in a motor vehicle accident or any other type of accident that involves personal injury to a person. The types of accidents and list of people that can be sued by a person for injuries they receive are too numerous to mention here.

The average person believes that they can recover damages for personal injuries and other damages that they suffer as a result of motor vehicle collisions, since virtually everyone knows that insurance is somehow involved in a motor vehicle collision.

What the average person usually doesn't appreciate is that there are situations where insurance coverage will cover many, many other situations.

This area of our lives and law is difficult and time consuming. One should be very careful if involved

in any sort of accident that causes you personal injury and damages.

It is most important to contact a lawyer who is familiar with the initial investigation, preparation and trial of such personal injury lawsuits.

The initial investigation can be very simple or very complex, depending upon the actual accident itself. A lawyer can usually tell you what is necessary. You should contact the lawyer virtually immediately after the accident, as in many cases there are strict time limits for firstly notifying the potential defendants of the action and secondly, actually starting your court action.

Time limit to notify

These time limits in certain cases are as short as seven (7) and ten (10) days. You must therefore be very careful and try to immediately consult a lawyer who is knowledgeable in these areas of the

law.

In particular, if you wish to sue a municipality or a governmental authority, the time limits are strictly adhered to and very limited.

Specific time limits

You have one year within which to sue a physician or a hospital, two years to sue a defendant motorist in a motor vehicle collision and that most time limits give them longer than days within which to notify the defendant.

Do not rely on off hand advice from friends and relatives, but contact a lawyer and do not be afraid to ask this lawyer what types of cases he has been involved with before and what sorts of settlements and trial awards have been achieved for his clients.

The most important thing that you can do when something has happened to a loved one, such as a personal injury is to immediately

contact the law office and allow them to at least begin the preliminary investigation and to put the various defendants on notice.

That is something that is absolutely critical to the case and in many situations, people have been locked out of the court room, simply because they were too slow or tardy in getting to the lawyer's office.

The next most important thing is for the lawyer to begin the evaluation of your case, both from a liability viewpoint and damages viewpoint.

The liability viewpoint will be thoroughly reviewed and researched by the lawyer based upon meetings with yourself, independent investigation, interview of various witnesses, police reports and investigation, after which the lawyer would be in a position to give you a fairly good review of the potential liability of the various defendants.

The review of the damages and your personal injuries, would be something that would necessarily

take more time, as in many cases, the full extent of the injuries is not known for many months and years following the initial date of the accident.

It is in many cases for this reason that people do not think of calling their lawyer immediately following an accident and this can be a critical mistake as firstly, proper defendants may not be put on notice and secondly, evidence may be lost or destroyed and not capable of being put together at a later date.

In conclusion then, the most important thing that you can do if a loved one is injured is to notify a lawyer who has worked in this personal injury field for some time and to allow that lawyer to firstly place on notice all of the proper defendants and secondly begin the investigation of the case.

This will be a regular legal column written by Sandy Zaitzeff and Gregg Cancade of the firm Zaitzeff - Cancade.



Kim Imbeault, left, presents Evan Rochon with his winning tickets to Winnipeg. Evan won the Terrace Bay's Minor Hockey Association draw in which he won air tickets to Winnipeg and tickets to two Winnipeg N.H.L. games vs Pittsburgh and Toronto. Evan takes his trip March 10 and says he'll cheer for Pittsburgh and Toronto.

Photo by Dave Chmara

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