

Automobile Accidents and Compensation

By Danny S. Foster

For over 13 years I have been fortunate to help clients who have suffered injuries in automobile accidents. Some of these injuries were minor and the client made a full recovery, and in some circumstances the injuries were catastrophic. I have represented the families of victims who died in automobile accidents or have had to help their loved ones recover from life changing injuries. It is among the most rewarding parts of my practice when I can hand my clients a settlement check that will significantly change their lives.

As I tell every personal injury client that comes into our office, I am not a doctor. I cannot heal your injuries. I am here for one reason, to work my hardest to obtain as much money as possible to compensate you or your loved one. I am never shy about asking for money to compensate clients, and you shouldn't be either. If someone has caused you an injury, however slight, you are likely entitled to compensation and you should not be feel greedy, embarrassed or ashamed about asking for this money.

Unfortunately there are some cases when we realize that there simply is not enough insurance coverage to fairly compensate a client. This happens when the injuries are severe and the responsible driver did not have enough insurance coverage. The minimum liability policy in the State of Colorado is only \$25,000. That is a paltry amount that sometimes barely covers the medical costs some of my clients incur. There are things that you can do today to ensure that in the event you or your loved ones are involved in an automobile accident you will be protected from irresponsibly insured drivers.

My advice to all of my friends, family and clients is:

- 1) Maximize your Medical Payment (med-pay) coverage on your automobile policy.

All auto policies require that this be offered. Normally you will see \$5,000 of coverage offered, but some companies offer \$10,000, \$25,000 and even \$100,000 in med-pay coverage. This is money that is used by you or your passengers for initial medical care. Don't ever refuse an ambulance and always visit the ER if you are in an accident. This is generally covered by the med-pay policy! In many instances med-pay coverage will also help pay for continuing physical therapy, orthopedic consultations or any other medical treatment as a result of the accident. You will use your own med-pay coverage *regardless* of who is at fault in the accident, and it should be tapped BEFORE you use your health insurance. Under Colorado law you do not need to reimburse this money to your auto carrier when you settle your case, but in most instances you do need to reimburse your health insurance carrier.

- 2) Maximize your Uninsured/Under-insured coverage.

I cannot stress this enough! Every policy MUST offer you Uninsured/Underinsured (UM/UIM) coverage. In the event someone injures you or a passenger, and their insurance coverage is of an insufficient amount (or even worse they aren't insured at all!) then your own UM/UIM coverage will step into the shoes of the responsible party and provide you with money to compensate you for pain/suffering, lost income, medical expenses, etc. It is critical to maximize this coverage. If you can afford \$250,000 or more in UM/UIM coverage then buy it!

3) Maximize your liability coverage.

This is the coverage you have that compensates other people in the event you cause the accident. While this won't help you if you are a victim in a personal injury accident, it just may save you from a personal bankruptcy. In addition, most insurance policies will only allow you to purchase UM/UIM coverage in amounts equal to your own liability coverage.

4) Umbrella coverage!

Most of my friends and clients own several cars and a house. This umbrella coverage generally provides an additional one-million dollars of liability coverage over their house and automobiles on top of the amounts contained in the respective auto or homeowner's policies. It is usually inexpensive (\$100-\$500 a year) and well worth it. It is critical however to ensure that this umbrella coverage cover your UM/UIM limits! Make sure that this is a component of the umbrella coverage. Make your insurance broker guarantee that this is covered.

Trust me when I tell you that I am not an insurance salesman. But it is critical to get the correct coverage in the correct amounts. Don't delay, don't procrastinate, and get properly insured.

If you ever have a question about your policy you can give me a call and I am happy to evaluate your coverage.

If ever you or a loved one is ever involved in an auto accident you can always call our office and I will be happy to evaluate your claim and see what can be done to maximize your compensation.