

Do I need a lawyer after a car accident in Alabama?

Millions of people live and work in Alabama, in cities like Auburn, Mobile, Birmingham, Montgomery and Huntsville, and other towns and metropolitan areas throughout the state. Each day, people drive to get to work, drop their kids off at school, go shopping, go to a football game or visit friends and family. A [car accident](#) can happen at any time that leaves them seriously injured.

Car insurance is supposed to pay for the medical expenses for treating injuries, and also property damage caused in the accident. But insurance companies aren't on your side. They are only interested in making profits, and will do what they can to avoid paying you. This can make the claims process very aggravating. Many people aren't sure what to do next.

If you were injured in a car accident in Alabama, you need someone to look out for your best interests; someone who is familiar with the claims process and knows how to avoid the pitfalls that can get in the way of recovering compensation. A lawyer can make sure your rights are protected and help you get the compensation you deserve for your injuries.

How common are car accidents in Alabama?

According to statistics from the [Alabama Department of Transportation](#), there were 147,452 crashes statewide in 2015. Every county had its share of crashes, including Jefferson (27,409), Mobile (15,559), Madison (10,984), Montgomery (9,938) and Lee (5,144).

Other quick facts from the agency about Alabama accidents:

- There were 849 people killed in 789 fatal crashes.
- A traffic crash was reported every 3.55 minutes.
- A person was injured in a traffic crash every 11 minutes and 56 seconds.
- Speeding is the leading cause of fatal crashes.
- Most Alabama crashes (78 percent) occurred in urban areas, but most fatalities (59 percent) occurred in rural areas.
- Of all fatal crashes, 9.5 percent were caused by drivers 19 or under, and 23.3 percent were caused by drivers under 25 years of age.
- For each fatality, there were 51 injuries.
- Of all fatal crashes, 49 percent occurred at night (including dusk and dawn).

There were 44,020 people injured on the roads of Alabama in 2015. The fatality statistics for the state—849 in 2015—place it at number 6 among the [most dangerous states to drive](#) in.

There are different types of car accidents, including:

- *Rear-end collisions*—these are among the most common types of car accidents. One car crashes into another from behind, usually because the driver of the rear-most car was

distracted, fatigued or under the influence of alcohol. Almost always, the driver of the rear-most car is considered responsible.

- *Head-on accidents*— These can happen when a driver falls asleep or gets distracted and drifts into the other lane, directly into the path of an oncoming car. People can suffer catastrophic injuries in these types of crashes.
- *Intersection accidents*—These occur in cities and towns throughout Alabama. A driver may run a red light or stop sign, or take a left turn without carefully checking for oncoming traffic. The result is a crash in which people can be seriously hurt.
- *Rollover accidents*—These can occur, for example, when a driver falls asleep at the wheel, starts running off the road then suddenly wakes up and overcorrects the steering, causing the car to roll over.
- *Hit and run accidents*— A driver causes a crash, then immediately leaves the scene. This is against the law in Alabama, but negligent drivers sometimes ignore it, often because they are not properly insured. This makes recovering financial compensation difficult for the injured people they leave behind.

Where do car accidents happen in Alabama?

Alabama has more than 102,000 miles of roads and highways across the state. Cars travel down these roads every day, and an accident can happen on any type of road at any time. All it takes is one negligent driver. In 2015, crashes occurred in Alabama on:

- State routes (25,355)
- County roads (20,248)
- City roads (60,815)
- Interstate highways (15,592)
- U.S. routes (21,064)
- Other (4,378)

Due to factors such as poor visibility, high speeds and sudden changes in the number of lanes, U.S. Highway 431 has been nicknamed the “highway to hell,” and listed among [the most dangerous highways](#) in the world. But accidents happen all over Alabama—on I-85, I-65, Highway 280, I-459, and on country roads and city streets.

What causes car accidents in Alabama?

All drivers have a responsibility to follow the rules of the road at all times, and to use good judgment. When they fail to meet these responsibilities in some way, they can easily cause an accident that leaves people hurt. This failure is considered negligence and these drivers and their insurance companies can be held accountable for the damages caused in an accident.

The majority of accidents in the state involve some type of driver error. According to the Alabama Department of Transportation, of the 147,452 crashes in the state in 2015, 110,321 were related to driver error. These crashes involved:

- **Failed to Yield Right of Way** (21,684)
- **Tailgating** (21,018)
- **Misjudged Stopping Distance** (13,660)
- **Improper Lane Change/Use** (10,869)
- **Unseen Object/Person/Vehicle** (10,317)
- **Speed** (8,471)
- **Swerved to Avoid Vehicle/Object** (7,137)
- **Failure to Heed Sign/Signal/Officer** (5,547)
- **Driving Under the Influence** (4,718)
- **Ran off Road** (3,596)
- **Fatigued/Asleep** (2,505)
- **Wrong Side of Road** (769)
- **Driver Not in Control** (30)

However, it is typical for negligent drivers to deny responsibility and contest claims for damages. Insurance companies are only concerned about the bottom line, and work to keep payments low. In order to successfully pursue compensation, you will have to prove that the other driver was negligent.

Insurance laws in Alabama

All drivers in the state of Alabama are required to have [auto insurance](#). This insurance provides drivers with liability coverage for injuries and property damage after an accident. The minimum amounts of liability coverage required by law are:

- \$25,000 for the injury or death of one person in an accident
- \$50,000 for the injury or death of more than one person in an accident
- \$25,000 for damage to property

However, it is generally recommended that drivers carry higher amounts of liability coverage. The damages caused by an accident can easily exceed the minimum limits. In addition, all car insurance policies sold in the state are required to include uninsured and underinsured motorist (UM/UIM) coverage. This helps pay for damages caused by a driver who has no insurance, or not enough. Additional options include collision coverage, which can pay the cost of repairs to your car.

What should I do if I'm in a car accident?

If you've been involved in a car crash, there are steps you can take to make sure everybody is OK and to protect your rights:

- *Stay calm.* It's normal to feel angry or frustrated immediately after an accident, but it's important to keep a cool head.

- *Call for help.* Or, have someone else call. The police can document the accident and medical personnel can check on the health of everyone involved.
- *Collect information.* Get contact information for other drivers, passengers and all witnesses. This includes names, addresses, insurance information (for drivers), and the make and model of all vehicles involved.
- *Admit nothing.* It may not be clear who was at fault for the accident until an investigation can be done. Keep conversations with others at the scene limited to seeing if they are OK, and collecting contact information.
- *Document the crash.* If you are able to, take photos of the damage to car and property, as well as any injuries you suffered. As soon as possible after the crash, write down your account of what happened.
- *Get medical attention.* Do this even if you feel fine. You could have injuries you don't know about. Medical personnel will also document your existing injuries.
- *Contact your insurance company.* You are required to notify them that you have been in accident. But don't answer any additional questions until you speak to an attorney.
- *Contact a lawyer.* As soon as possible, consult an attorney with experience in Alabama car accidents, who can explain your options.

Injuries seen in car accidents

Injuries sustained in car accidents can range from mild to severe. In 2015, there were 44,020 injuries from all crashes in Alabama. Injuries require medical treatment, and those expenses can add up quickly. When injuries result in permanent damage, medical expenses can last a lifetime. Some common injuries seen in car accidents include:

- *Neck Injuries*—A common type is “whiplash,” a term for an injury caused when the neck is violently and suddenly moved forward and backward in a crash. This can cause damage to nerves, muscles and discs in the neck.
- *Back Injuries*—A car accident can lead to back injuries such as a herniated disc, crushed vertebrae, fractured spine, ruptured disc, or pulled muscles. Any type of back injury can be painful and limit mobility. Very serious spinal injuries can also occur, which can cause paralysis.
- *Broken Bones*—The force of impact in a car accident can cause bone fractures of the pelvis, hip, ribs, head, arms, legs or anywhere else in the body. Some broken bones heal in a matter of months, but can cause mobility problems and prevent you from working in the meantime. Others can be much more complicated and have more serious, long-lasting consequences.
- *Head Injury*—Traumatic brain injury can be especially serious, as it affects a person's ability to function normally and may result in permanent disability. But any type of head injury can be painful and prevent you from working and taking part in normal activities.
- *Internal Injuries*—The impact of a car crash can cause damage to internal organs, including the stomach, spleen, liver and pancreas. Or, a broken rib could puncture an

internal organ. You may not even realize you are injured at first, which is why it's important to always get medical attention after a car accident.

- *Knee Injury*—A driver or passenger can injure a knee after hitting it on the dashboard or steering column, or getting it crushed on impact. This can result in damage to bones, cartilage, muscles, ligaments or tendons, greatly limiting mobility.

Options for recovering compensation

Alabama is a “fault” car insurance state. This means that the person considered at fault for the accident is responsible paying for the damages. But if you are the injured party, how do you actually go about collecting those damages? You have three options:

File a claim with your insurance company. They will pay for damages. If another driver is at fault, they will then seek compensation from the at-fault driver's insurance company (a process called subrogation).

File a claim with the at-fault driver's insurance company. However, the insurance company will do what they can to deny or reduce any payments to you. They are only interested in protecting their profits.

File a lawsuit against the at-fault driver. This option can be used when the at-fault driver's insurance company refuses to negotiate a fair settlement. A lawsuit must be filed within 2 years of the date of the accident.

Recovering financial compensation after a car accident is not easy. You can encounter obstacles from the insurance company when pursuing any one of these options. The at-fault driver may deny responsibility for the accident, possibly leaving you in the position of having to prove negligence.

And insurance companies are definitely not on your side. Paying claims cuts into their profits, so they will do whatever they can to keep payments low. Some of the ways they'll try to this include:

- *Making a lowball offer*—Shortly after the accident, an insurance company may make a claimant a settlement offer, often saying it's the best they can do. The problem is it's not the best they can do, and the offer won't come close to meeting the true costs of the damages.
- *Questioning injuries*—The insurance company may take the position that a claimant's injuries aren't that bad, and therefore don't require additional medical expenses. They can also insist that you get an independent medical evaluation.
- *Suggest the claimant was partially to blame for the crash*—Alabama is a contributory negligence state. This means that if a claimant was found even partly at fault for the crash, he or she is unable to recover financial compensation for damages.

How an attorney can help

An experienced car accident attorney knows the tactics insurance companies use to deny and reduce payments. An attorney also knows how to fight back against those tactics to get you the compensation you deserve for your injuries. A lawyer can help you navigate the claims process and build a strong case that gets results.

A car accident lawyer can:

- *Determine the value of your case*—In general, you can seek compensation for medical expenses and lost wages that resulted from your injury. Medical expenses can include the costs of hospitalization, surgery and medications. But there may be additional medical expenses you haven't considered. These can include therapy, follow-up doctor visits and any medical equipment needed at home. You can also seek other damages you suffered from your accident. These include emotional distress, pain and suffering, loss of companionship and any disability or disfigurement.
- *Find evidence of negligence by the other party*—An attorney has the resources to conduct an independent investigation into your accident, using experienced investigators that know where to look for evidence of negligence. This includes reviewing all documentation related to the accident, interviewing witnesses and consulting experts, if needed.
- *Handle all the paperwork*—A lawyer can make sure you fill out all the necessary paperwork properly when filing a claim for damages and make sure you meet all filing deadlines. Making mistakes or missing deadlines can make it more difficult for you to recover compensation.
- *Help you get you the medical care you need*—Some people injured in a car accident put off treatment for their injuries because they can't afford it. An experienced lawyer can help you pursue all options for compensation and make arrangements to make sure you get the care you need.
- *Negotiate with the insurance company*—An experienced lawyer knows the tricks that insurance companies like to play, and also knows how to fight back against them. When insurance companies see that a claimant's lawyer has built a strong case, they are much more likely to come to the negotiating table and agree to a favorable settlement.
- *Fight the insurance company in court, if necessary*—There are times when an insurance company refuses to negotiate. An experienced car accident lawyer has the litigation skills to help you pursue a successful claim in court.

If you've been injured in a car accident, the insurance company will have their own attorneys looking out for them. You need an experienced lawyer looking out for your interests. An attorney has the legal knowledge, resources and time to focus on recovering compensation for you. This allows you to focus on recovering from your injury as much as possible. And when a lawyer works on a contingency fee basis, you don't pay anything unless you receive compensation. It pays to have an experienced car accident lawyer on your side.

For more information

Contact Mike Slocumb Law Firm, an injury law firm that helps victims of car accidents fight back against the insurance companies to get the financial compensation they deserve. The firm has offices in Auburn and Mobile, AL and serves clients statewide.