

WHAT IS MY AUTOMOBILE ACCIDENT CLAIM WORTH IN KENTUCKY?

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Musselwhite Meinhart & Staples, PSC



Many factors determine what your automobile accident claim is worth; however, no attorney can tell you with absolute certainty what an automobile accident claim will be worth. If an attorney does try to tell you a specific dollar figure, you should get another opinion. An experienced personal injury attorney knows that before they can begin to put together a claim, they must first complete a thorough investigation into liability and the client must reach maximum medical recovery.

An automobile accident does not have a "price tag" and you do not want to limit your recovery by trying to box yourself in with a number before all of the facts are known. You have the right to present specific facts of your case, including evidence that the other driver was negligent in causing your injuries. No two car accidents are alike and no two victims are alike.

Your injuries may be far more extensive even though the facts of your accident do not appear, on the surface, to be as severe as another accident. Until you reach maximum medical recovery, it is unknown if you will have permanent, life-changing conditions. Without that knowledge, it is impossible to determine the amount of damages you are entitled to receive for your injuries.



The attorneys at Musselwhite Meinhart & Staples, PSC know the importance of a thorough investigation in maximizing the recovery for our clients. Rather than making quick assumptions about the value of an automobile accident claim, we take the time to review and investigate each of the elements that affect the value of a claim to ensure that we obtain the maximum amount possible for our clients.

FACTORS THAT AFFECT THE VALUE OF AN AUTOMOBILE ACCIDENT CLAIM

It is impossible to anticipate all of the factors that may affect the value of an automobile accident claim; however, several elements are common to most personal injury cases. These elements are used when we calculate the value of an automobile accident claim. Of course, the value of each element will depend on the unique circumstances of each individual case.

- **Past medical bills** – If you are injured by a negligent driver, you should not be required to pay the medical bills from the accident. The amount of the medical expenses you incurred as a result of the accident will be totaled and become the base of your automobile accident claim.
- **Past lost wages** – Likewise, if you missed work due to your injuries and you were not paid, you are entitled to recover those lost wages as part of your claim. In some cases, we can also add the amount of lost vacation time and other benefits you lost as a result of missing work due to the accident.
- **Future medical bills** – If you are required to receiving ongoing medical treatment because of a permanent injury, the anticipated cost for future medical treatments is added to amount of the claim. In some cases, an expert is used to calculate the cost of anticipated future medical bills and/or the cost of personal care, if applicable.

- **Future lost wages or lost earning capacity** – If you are unable to return to work, an amount equal to your future lost wages is added to the settlement claim. However, if you are able to return to work but you will be unable to earn the same wages as you did before the accident, an amount will be assigned as “lost earning capacity” and added to the claim amount.
- **Other pecuniary losses** – Pecuniary losses are financial expenses incurred as result of the injuries sustained in the accident. These out-of-pocket expenses may include over-the-counter medications, medical aids such as crutches or slings or the cost of hiring someone to perform household chores that you cannot perform due to your injuries.
- **Pain and suffering** – In many cases, you are entitled to claim an amount for your emotional distress and physical pain and suffering caused by the accident. This figure is based on multiple factors including whether you are permanently disabled or disfigured and how your life has been negatively affected by the accident. Based on the unique circumstances of your accident, your attorney will explain the details of this claim, the amount you should claim and why he feels this amount is justified.

BUILDING A STRONG AUTOMOBILE ACCIDENT CASE

In order to receive the maximum recovery for your automobile accident claim,



your attorney must gather evidence to prove liability of the at-fault driver as well as document your financial and non-financial losses. The attorney may need to hire investigators, medical experts and other experts to substantiate your claim; however, he will also need

your assistance.

You can help your attorney build a strong case by keeping receipts for all expenses that you incur that are related to your automobile accident. You may not be able to recover each amount but it is impossible to claim the amount unless you have documentation. For example, if you are required to install special equipment in your bathroom because your injuries prevent you from performing basic personal care without assistance, this is an amount that you want to document and give to your attorney. Likewise, if your doctor prescribes an over-the-counter medication, you need to keep the receipts from each purchase to add to your medical bills.



Keeping a diary can also help your attorney determine an amount to claim for pain and suffering. Note the days that you are not feeling well, your daily pain levels and the

things that you are unable to do because of your injuries. Pain and suffering is based largely on how much the accident has changed your life. Having a diary helps the attorney “see” how the accident has affected your everyday life.

CONTACT AN EXPERIENCED RADCLIFF OR LOUISVILLE AUTOMOBILE ACCIDENT ATTORNEY

We've Helped Thousands of KY Families, we can help you!

The personal injury attorneys of Musselwhite Meinhart & Staples, PSC have over 50 years of combined legal experience. If you or a loved one has an automobile accident claim, we can help you. We represent clients in Hardin County, Jefferson County and throughout central Kentucky from our offices in Radcliff and Louisville.

Contact us at **(270) 351-6069** or **(502) 964-1968** or **1-800-754-HELP** to schedule a free consultation with one of our attorneys. You may also contact our office through our convenient [online contact form](#).

About the Author

Paul Musselwhite, Carol Blakeley Meinhart, Kimberly Musselwhite Staples, and Robert D. McIntosh are the experienced and knowledgeable attorneys that make up Musselwhite, Meinhart & Staples. With over 50 years of combined experience, they have been serving the legal needs of individuals, individuals in the military and families in Hardin county and all of central Kentucky with pride and dignity. Practicing in civil cases in Hardin county, central Kentucky and beyond, they are experienced in all types of law.

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