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Tips for Presenting the Strongest Possible Injury Claim

On its web site, the Maryland Motor Vehicle Administration (MVA) provides a very brief summary of what to do if you, as a driver, are involved in an automobile accident^[1]. While the three tips given on the MVA website have some merit, there is much more that can and should be done after an automobile accident involving physical injury. Previously, we have discussed on the JGL Blog whether you should move your vehicle from the scene of an accident^[2] and whether you should talk with the other driver's insurance company after an accident^[3]. Here are some additional tips that will help you present the strongest possible auto accident injury claim:

- 1.** You should follow as precisely as possible the advice and course of treatment prescribed by your doctor. You should not minimize your ailments to your doctor, as it is one of his best ways of knowing how to treat you. Please be sure that your attorney is advised on an ongoing basis of the names and addresses of the health care providers you are seeing.
- 2.** You should keep a daily or weekly record of your complaints and progress. This can be very helpful when, a year later, you will be able to recall your pain and difficulties more vividly.
- 3.** You also should keep an accurate record of all days lost from work because of your injuries.
- 4.** Please obtain and keep duplicate copies of all hospital, medical and prescription bills. They should be coming to you by mail in the usual course. This way, we do not need to incur charges for getting a copy of your various bills, costs that will come out of your portion of the settlement/verdict at the end of the case. You should also keep records of any other expenses you may have in connection with your accident, such as the hiring of extra help. For any expenses incurred, it is extremely helpful if you keep copies of any and all receipts.
- 5.** If your automobile has not been repaired, do not do so until you have taken photographs of the damage to the vehicle. If the vehicle has been repaired already, please be sure and supply your attorney with copies of all photographs, estimates, and final bills.
- 6.** Also, please furnish your attorney with the correct name and address and telephone numbers of any and all witnesses to your accident.
- 7.** Social media postings on services such as Facebook, Twitter, and/or Instagram have been considered "discoverable" in litigation. This means that the defendant may have access to your social media postings and may be able to use them as evidence against you at trial if they so choose. For this reason, we would urge you to be extremely judicious in what you post on social media in the future and for so long as your case is pending. We would suggest, at a minimum, not posting any

photographs of yourself, and not discussing your activities and/or physical condition, or the facts of the accident.

Joseph Greenwald & Laake, P.A. handles auto accidents throughout Maryland and the District of Columbia. If you have been injured in an automobile accident, please call our personal injury team at (301) 220-2200.

[1] <http://www.mva.maryland.gov/vehicles/insurance/accident.htm>

[2] <https://www.jgllaw.com/blog/should-i-move-my-car-after-accident>

[3] <https://www.jgllaw.com/blog/talking-to-other-drivers-insurance-company-after-car-accident>

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