

OKLAHOMA PERSONAL INJURY GUIDE

*Steps to Take After a
Serious Accident*

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If you have been seriously injured due to someone else's negligence, you may be feeling overwhelmed. It is upsetting to get hurt, but when it was a completely avoidable situation, it can be downright frustrating. Depending on the accident or incident, you can be so terribly hurt that you can't go back to living a normal life. Even a broken bone never feels the same after it heals.

The silver lining here is that you may be eligible to bring a personal injury claim so that you can see the compensation you deserve. With the help of an experienced Oklahoma personal injury lawyer, you can determine who was at fault, determine the value of your injuries, and fight the insurance company tooth and nail to get what is fair.

HIRING THE RIGHT ATTORNEY

It's could very well be a tough, long battle with the insurance company, so having someone who you like and trust on your side will make all the difference in the world. Your attorney should be someone who you feel like can take care of you. There will be challenges and obstacles, and if you don't have confidence in your attorney, that is going to be an issue. You might not get what you deserve. To ensure that you have the right attorney on your side, you should look for someone who is experienced and competent. During your free consultation, interview your attorney to make sure that they are a good fit. Ask them about their past cases. See if they have handled cases like yours.

At Murray Law Firm, we are confident that you will find a good fit with Oklahoma personal injury lawyer James Murray. Please call our office to schedule a free consultation to discuss your case and see how we can help you on your way to getting compensation.

ACCIDENTS IN OKLAHOMA

Personal injury is a broader term for many subcategories. Your injury will probably fall into one or more subcategories of personal injury. The types of personal injury cases include:

- » Accidents at the workplace
- » Traffic accidents
- » Dog bites
- » Slip and falls
- » Product liability
- » Chemical exposure
- » Burns

It is best to meet with an attorney to discuss the details of your accident and tell them the extent of the injuries that you sustained so that you can figure out your next steps.

MODIFIED COMPARATIVE FAULT STATE

In Oklahoma, they use what is called modified comparative fault. Essentially, what this rule does is it allows for there to be shared fault. In some states, if you are even a little bit at fault, 1%, you cannot bring a claim. You would be completely barred from filing a personal injury claim. In Oklahoma, thankfully, there is some leniency. The only way you will NOT receive compensation is if you have 50% fault or more for the accident. In theory, if you were only 20% at fault, you will be able to file a claim. The only limitations with having that 20% fault is how much you can recover in damages. Let's say you would be awarded \$15,000. Because you were 20% at fault, your compensation is reduced. You would not be winning the full amount. You would receive 20% of \$15,000 which is \$12,000. Getting an attorney involved early on can help you avoid costly mistakes that the insurance company can use to make you seem more at fault than you really are. While you may have two years from the date of the accident to

file a claim, you should not wait that long to hire an attorney. It will make it very difficult for them to get you the compensation you deserve.



AVOIDING CRITICAL MISTAKES

The insurance company that represents the at fault party will do everything in their power to fight your claim. They will try to pin the blame on you. They do this because they don't want to give you what your case is worth. They will try to turn the blame on you every chance they get. That's why it is so important that you do not make any statements for them. If they call, they may ask you a simple question, "How are you doing?" Many people just automatically respond politely. They will say, "I'm doing well, how are you?" or something along those lines. If you say that, or anything like that, they can and will use that against you. You will be trying to ask them for money for the severe injuries you are suffering from because their insured was careless, and they will throw that statement back in your face. They will try to argue that you said you were well and that you can't possibly need compensation if you were doing well. This is extremely unfair, but it can be avoided. If the insurance company calls you and wants to talk, don't give them anything. You can tell them, "I'm acquiring council and all communications will go through them." You will avoid any issues with making a statement by turning them away to your lawyer.

FREQUENTLY ASKED QUESTIONS | OKLAHOMA PERSONAL INJURY GUIDE

How do I pick the best attorney?

How do you select an attorney to deal with a personal injury case? Well, you need to find an attorney who is experienced in dealing with your particular case

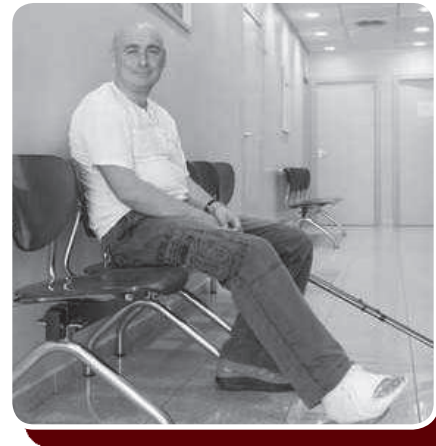
whether it be a car accident, dog bite, or a slip and fall. You need to find an attorney who understands how important it is to have good healthcare providers and get you to those healthcare providers. You need to find an attorney that understands that you're going to be laid up for a while and you can't work, and they have to have some compassion for you. You have to find an attorney who will hire an investigator and work hard for you, do focus groups and make sure that he does everything in his power to frame this case in a way that maximizes your recovery. As you look for attorneys, ask them how many cases they've handled, ask them how many jury trials they've handled, and you need to select the one that has the experience you need and the one that you feel the best about.

What mistakes should I avoid making?

The most common mistake I see when people who have been injured in an accident is that one, they think it's their fault. They don't think that they shouldn't say anything. You need to make sure you contact an attorney and help them understand what happened and what the circumstances were like. In a lot of cases, it's not the going to be your fault that got hurt; it's going to be a negligent party. Don't think it's your fault.

The second mistake people make in a personal injury case is they don't seek medical treatment soon enough and if they do seek medical treatment, they don't do what the doctor asks them to do because they don't think they have time or they can't afford it. Doctors professionals. When you see a doctor, follow their advice. If you don't, it will come back on you when you try to negotiate your case or you try to go to trial with your case.

The third mistake clients make is they don't hire attorneys soon enough and so a lot of the evidence is gone. If it's a slip and fall, the store might be remodeled. At a construction site, the event, device, or structure that caused the accident might be gone now, might be disappeared, might be fixed, and so you can't take good pictures of really what happened to show a jury. Hire an attorney. Select



an attorney and let them take care of the investigation, the preservation of evidence, and help them orchestrate this case for you and direct you in the right ways.

Should I talk to the insurance companies?

Well, the first thing you need to know is don't give them the statement. The second thing you need to do is hire a lawyer and refer the insurance adjuster or the insurance company to your attorney. As soon as you tell the insurance company you have an attorney, they will not ever call you back. You don't want to run the risk of saying something or giving them a statement that will jeopardize your ability to a full, fair, and equitable settlement.

If you think the insurance company is your friend, you're sadly mistaken. You have to understand; their job is to pay you as little as possible to resolve the claim. I would suggest you hire an experienced injury attorney to handle all your calls and all your correspondence with the insurance company.



What kind of compensation can I get?

If you're injured in Oklahoma, you're entitled to your medical expenses, your future and past medical expenses, past and future pain and suffering, any compensation for permanent disability, and permanent impairment. You're entitled to loss of your ability to live life, to enjoy your passions, to enjoy your hobbies, and to enjoy your family. Personal injury cases

are usually pretty difficult when there are serious injuries, so you need to hire a lawyer so they can advise you as to all the possible avenues of recovery and the damages you can ask for.

How do I prove someone else was liable for my accident?

When either yourself or loved one has been injured in an accident, you need to determine the liable party. If you're in an accident and another driver causes

the wreck, They're the liable party. Sometimes there could be other people in personal injury cases, third-parties involved, other insurance companies and various issues, but it's a pretty slippery slope too. It's not all that clear cut for the average person. I would just suggest you hire an attorney that has experience with your type of injury as soon as you can.

How long do I have to file a claim?

After you've been involved in a personal injury case in Oklahoma, you have two years to bring your claim. What that means is you either have to have it settled or you have to file your lawsuit before two years or you're barred from bringing any actions against the person who caused your injuries. Hire a lawyer early to immediately begin to collect evidence.

If you don't get pictures and you don't interview witnesses right after the injury, then you might lose that evidence forever. Don't wait. When you're seriously injured, get to a lawyer quickly so pictures can be taken, witnesses can be located, and we can preserve that evidence.

What is my case value?

I really can't immediately answer that when I first meet a client. Until I figure out how serious their injuries are, how they recover from their injuries, what their permanent impairment is, and the circumstances of the accident, I won't know the case value. You really can't put a number on these things. What you can do is hire the right attorney who can help you determine all the many factors that goes into valuing a case and help you maximize and get a reasonable and fair settlement from the insurance company.

SET UP A FREE CONSULTATION TODAY

If you are in serious pain, dealing with piling medical bills, and have an insurance company pestering you for a statement, you should talk to a lawyer. Call our Stillwater personal injury lawyer at Murray Law Firm today for a free consultation. You can focus on recovery while James Murray takes on your case

and fights to get you the compensation that you deserve for your injuries and damages.



ABOUT THE AUTHOR

When James Murray was 15 years old, he watched President Richard Nixon’s Watergate scandal unfold before him. The corruption displayed by the White House and in politics in general during that time inspired James to pursue law so that he could make a positive change and a real difference in the country. To reach his goal, he attended undergrad — and later, law school — at the University of Oklahoma. In 1985, James was admitted to the Oklahoma Bar Association and his career as an attorney began.

As a personal injury lawyer, Attorney Murray enjoys helping people. “It’s easily the most satisfying part of my job and it’s what drives me to come in to work every day. Those whom I help are real people with real problems, not walking ATMs that come in to my office to spit out money for my services and then leave. In personal injury, it’s important to remember that clients are more than just clients. I always make sure that I do.

“Through my cases, I can truly help the people who need it. For instance, when a car wreck killed the parents of two young children, our attorneys were able to settle the case on behalf of the now orphaned children for a figure in the mid-seven figures. No amount of money can bring those children their parents back. However, through the work we did, we were able to ensure that the children will be taken care of financially for the rest of their lives.

“When I’m not in the office, I spend time with my wife, who I love very much, and volunteer at my church. I also work extensively with the Boy Scouts of America because I truly believe in the importance of instilling great values in our nation’s young men. It’s no wonder that all six of my sons are Eagle Scouts. Between the six of them, I have 11 wonderful grandchildren, and I watch with pride as my sons pass those same values on to them.”

Education

- » JD - University of Oklahoma
- » BS - Oklahoma State University, double major in Accounting and Agriculture Economics

Professional Association & Membership

- » Oklahoma Bar Association

Community Involvement

- » 2000-2007 President of Oklahoma Assisted Technology - Non-Profit
- » Scoutmaster Troop 822 - current
- » Chairman of the BSA-LDS Oklahoma Encampment 1997 and 2007
- » Eagle Scout & Duty to God Award
- » Past President of Payne County Bar Association
- » Chairman of the Law Day Committee of the Payne County Bar Association

