

Waiting in Vain During Personal Injury Cases

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In reality, you tend to be upset and dismayed when a long time has passed after you have filed your personal injury lawsuit but still, nothing good is happening from the time the case has started. In most states, the other party's insurance company owes you no responsibility to settle quickly. Your case can either be settled or drag on long after the trial is finished. The question now is – what are the reasons for a case to be delayed that long?

There are several things that can slow down the development of your personal injury case. First is discovery which pertains to the desire of the insurance company to know everything about you and your accident. With this, you and your lawyer have to gather up and prepare all the medical bills, records and other relevant documents to your injuries. Some of these must be obtained in a certain way to make them acceptable in court. This can sometimes take time and money.

Second is deposition which refers to the instance where the lawyer/s from the insurance company will ask you in comprehensive details about your injuries, medical history, the accident itself, and the treatment options that you've gone through. You'll most likely go over a grilling up to the smallest details. Third in line is motion hearing where the insurance company lawyer/s can feel an endless capacity to file motions and go to hearings on motions.

Additionally, mediation which is a typical settlement conference without the formalities of the court can also cause the delay to a court trial. Many courts force lawyers to settle cases prior to trial. Arbitration is a different thing, on the other hand. It's often a binding mini-trial where an informal presentation of the matters involved in the case is done. Also, trials are usually being scheduled based on the court's schedule, not the lawyers' schedule. With this, cases can take years to be scheduled for trial, especially in some major urban areas.

Last but not the least, let's talk about collection issues. It's not unusual for someone to have difficulty in collecting the compensation from the insurance company or the person responsible for your injury. The insurance lawyer will have to have a check or draft issued by the company. And before they send you the money, you'll be required to sign a release document and file some sort of dismissal motion. Obviously, these things also delay payment.

Indeed, the litigation process can really eat up a lot of your time, money and effort. Therefore, it's sometimes better to settle for less prior to trial than to go through the whole process and then end up with a small settlement or perhaps a bad result at trial. For comments and questions about the article, you may visit <http://www.mesrianilaw.com>