

A GUIDE TO
OBTAINING COMPENSATION FOR
YOUR PERSONAL INJURIES

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OVERVIEW

Accidents resulting in personal injuries are a common occurrence in our daily lives. In addition to auto accidents, people suffer injuries in slip and fall accidents, medical negligence, dog bites, and nursing home negligence. You can protect yourself by consulting David N. Rechenberg, at the firm of Franks & Rechenberg, P.C., if you suffer an injury or damage as a result of an accident caused by the negligence of another.

EVALUATING YOUR CLAIM

To determine whether or not you have a cause of action, David N. Rechenberg of Franks & Rechenberg, P.C., will consider whether another person's conduct wrongfully caused your injury. There are several kinds of wrongful conduct, negligence, intentional misconduct, and strict tort liabilities.

Negligence is the most common form of recovery for losses resulting from an accident. Motor vehicle collisions are the most common types of recoverable injuries. The law in Illinois holds individuals responsible for their own careless actions. In Illinois, if a driver disregards a stop sign and causes an automobile collision, that person would be responsible for your injuries. If you are injured in an intersection accident, you could be compensated for those injuries only if your portion of the fault for the entire accident did not exceed 50%. Any fault attributable to you would be deducted on a percentage basis from the amount of money you could recover for your injuries.

The law provides that you can recover money damages for injuries you received as a result of the **Intentional Conduct** of someone that had deliberately caused you harm. The most common example of an intentional tort is where a person hits you without your permission, or detains you against your will. There are various state statutes that make a person strictly **liable** for your injuries if they have engaged in dangerous activities such as keeping wild animals as pets, or manufacturing a defective or dangerous product. Attorney David N. Rechenberg will be able to review the facts of your case to determine if you have a strict liability claim that is compensable.

WHAT IS THE VALUE OF YOUR INJURY?

Attorney David N. Rechenberg has more than 17 years of experience handling personal injury cases and can help estimate the dollar value of your injuries. The amount of money you can recover for your injury is not an exact science, and is based upon a variety of factors. If you have a compensable claim, normally you are entitled to compensation for your medical expenses, lost wages, pain and suffering, disfigurement, and loss of a normal life. In certain circumstances, you

may be entitled to money damages for mental duress, emotional pain, and other psychological injuries. Normally, you need to have actual psychological treatment to recover money damages for psychological injuries.

FINDING SOURCES OF COMPENSATION

Who is going to pay for the damages you have suffered? Determining whether or not bringing a claim is worthwhile, the first thing to consider is whether the person who is responsible for your injury has sufficient assets or insurance to pay for the damages you suffered. In certain circumstances, your own insurance company may be a source of assets to pay for your damages if you have sufficient uninsured or under-insured motorist coverage, and you are injured in an automobile collision. Attorney Rechenberg has vast experience in determining what assets or insurance is available to compensate you for the injuries you have suffered as a result of the negligence of another person. It is important to get an attorney on your side immediately to determine additional sources of compensation to compensate you for your damages. In certain circumstances, if a person is working for a corporation, and that person negligently causes your injuries as a result of a collision, the tort-feasor's employer is also responsible for the damages you suffered as a result of his or her negligence.

WHAT YOU SHOULD DO TO PRESERVE THE EVIDENCE THAT WILL SUPPORT YOUR CLAIM

The common knowledge is that your case is only as good as the evidence that you have to support it. When you are injured, you need to take immediate action and write down the circumstances regarding the injury, including the names, addresses, and phone numbers of all witnesses who saw the accident and all of the medical providers, including your treating physicians who have treated you to date. Attorney Rechenberg needs this information to determine whether or not you have a compensable claim. Large gaps in treatment, or failing to go to the emergency room after an automobile collision, or not missing work as a result of the collision, are red flags to an insurance company that you do not have a compensable claim.

Photographic evidence of the injuries you suffered after an automobile accident are crucial to proving you suffered actual damages. Attorney Rechenberg will instruct you to take photographs of your bruises, stitches, or other visible signs of your injury. If you are in a hospital, recovering from your injuries, have a family member or friend take several photographs of you while lying in the hospital bed recovering from your injuries.

Photographs of the vehicles are crucial to substantiating your claim. Remember to take numerous photographs of both vehicles involved in the collision, making sure that at least one of the photographs has the license plate of your car and the tort-feasor's car. Attorney Rechenberg recommends that you immediately start keeping a diary to document your injuries and the recovery that you make. It may be several years before your case goes to trial, and since memory fades, keeping a diary will be a valuable asset towards proving your damages and recovering a substantial amount of money for your injuries.

Cases have been lost at trial because the injured party failed to preserve the evidence that caused his or her injury. If your injury claim involves a defective product, retain the product, any and all packaging, and instruction booklets as well. The evidence should be stored in a secure place where it will not be removed or damaged. Finally, you will need to keep a list of all the medical expenses that you have incurred as a result of the injury, along with the Explanation of Benefits form showing what an insurance company paid. You need to obtain copies of all of your medical bills from all the medical providers.

INVESTIGATION AND INTERVIEW

Attorney Rechenberg will carefully interview you to learn the facts of your case and who is responsible, along with the extent of injuries and other financial losses that you have incurred. After the initial interview, Attorney Rechenberg will obtain your medical records, interview other witnesses, obtain the police reports where applicable, and help you obtain information to prove your case. Attorney Rechenberg handles personal injury cases on a contingency fee basis; we charge a fee only on the amount of money we recover for you. If you have been injured as a result of the negligence of another person, get Franks & Rechenberg, P.C. on your side immediately!

FILING A LAWSUIT

Attorney Rechenberg of Franks & Rechenberg, P.C. is an experienced personal injury lawyer. We may be able to settle your case and obtain reasonable compensation for you without the necessity of filing a lawsuit, as 90% of cases are settled without a trial. Your case may also be settled after a lawsuit is filed but before trial.

If the case cannot be settled to your satisfaction prior to filing a lawsuit, Attorney Rechenberg will prepare the proper documents to file the lawsuit and prove your case at trial.

After the lawsuit is filed, the process of gathering evidence is called "discovery." Discovery involves answering written questions known as "interrogatories." After the interrogatories are answered, the defense attorney will have the opportunity to ask you questions regarding how the accident occurred, and the injuries that you had suffered, under oath and before trial. This is called a "deposition."

If your case is not settled after the discovery process, the court normally will conduct a pre-trial conference to determine if the court can help the parties settle the matter. If the parties are unable to settle the case, the court will set a trial date. It can take several months, or years, for your case to go to trial.

CONCLUSION

Under Illinois law, if others are responsible for your injuries, Attorney David N. Rechenberg of Franks & Rechenberg, P.C. will be able to gain reasonable compensation for the injuries and pain and suffering you incurred as a result of the negligence of the tort-feasor. If you have been injured as a result of the negligence of another, please contact Attorney David N. Rechenberg of Franks & Rechenberg, P.C. right away. It is important to act quickly to preserve your rights to compensation. Telephone calls or inquiries from the defendant's insurance company should be referred to Attorney Rechenberg. Do not give any statements to the defendant's insurance company, as they will be used against you as the case proceeds.

Obtaining just compensation for your injuries is serious business, so get a law firm that will fight for your rights and be on your side immediately! Call **FRANKS & RECHENBERG, P.C.** at 847.854.7700 to have seasoned professionals on your side!