

Know Your Legal Rights

“Know Your Legal Rights”
is a free legal education series
by [Dixon Law Office](#).

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3 Things You Must Know About Pedestrian Injury Claims

Pedestrians are the most vulnerable people on the road. Completely unprotected, they put their lives in the hands of drivers. When things go wrong, it is often with very tragic results.

Drivers have the duty to follow the rules of the road. This includes stopping before crosswalks, looking before turning, and looking out anywhere that pedestrians might be. When drivers don't obey these rules, they are responsible – what lawyers call “liable” – for the injuries they cause. This is also sometimes called negligence, though there can be many legal theories for a claim.

When a pedestrian is hurt, there are rules that help make sure you get the compensation you deserve from the person who hurt you.

1. Get a Police Report

It is hard to believe but insurance companies frequently claim that a pedestrian accident “did not happen” because no police report is prepared. For this reason, it is usually best to demand that the police are called and a report is prepared, no matter how minor an injury might seem at the time. This prevents an insurance company from claiming you are making up the claim.

2. Get Medical Treatment

No one wants to go to the hospital, especially if they hope their injuries are minor and will not need long-term medical treatment. However, doctors commonly tell us that what seems like a minor injury can actually be very serious, particularly with pedestrian injuries. For example, a stiff knee can actually be a torn meniscus, ACL (anterior cruciate ligament), or even MCL (medial cruciate ligament). These are serious injuries that almost always require surgery.

Defense insurance companies and attorneys will often claim you were not hurt or your injuries were from something else if you don't seek immediate medical treatment.

3. Document Your Limits

After any injury, there is a time when you can't do certain things. If you hurt your hand, you may not be able to write or type. If you hurt your knee, you may have trouble with stairs or walking on uneven

surfaces. A concussion can leave you foggy for months or even a lifetime.

Whatever your injuries, you should try and document them. How are you limited? What things can you no longer do at all? What things can you now only do in pain? Who has had to take up the jobs you no longer do? All of these things are important questions to ask and document so you can describe the real effects of your injuries.

How you document your injuries is not as important. Some clients like to document this in a journal. Others like to send themselves emails or jot on a smartphone or tablet. Whatever method you use, it is only important that you do it consistently.

If you or a loved one have experienced a pedestrian injury, these are three important rules to help guide you through your injury claim. An experienced personal injury lawyer should be willing to discuss your case and your legal rights.

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