

I Was Injured In A Chain Reaction Car Accident. What Do I Do?

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Dear Ask the Attorney:

The other day I was in a 5 car chain-reaction accident. A car plowed into another from behind, who then hit the car in front of him, who then hit me, causing me to hit the car in front of me. There were injuries including me. I was taken to the hospital from the accident and was told that I should probably see someone about my back and my car was totalled. The doctor said I may need back surgery. I can't afford the surgery and I can't afford to buy a new car. What do I do?

P.P.

Our guest blogger today is [Christopher L. Musmanno, Esq.](#), Chair of the Personal Injury Department at [Einhorn Barbarito](#). Mr. Musmanno has been certified as a Civil Trial Attorney by the Supreme Court of New Jersey. He concentrates his practice on [Personal Injury Litigation](#) focusing on products liability, medical malpractice, work related injuries, slip and fall cases, dog bite cases and automobile and motorcycle accidents.

Dear P.P.

Whenever a person is involved in an automobile accident, the very first thing that should be done is the person should assess their injuries and call the police. The person should remain in their vehicle until the police arrive. A person should not exit their vehicle because it could be dangerous especially if the accident occurs on a highway. If you are capable, and your injuries do not prohibit it, once the area is

safe, you should take photographs of all a vehicles involved in the accident and the accident scene. If there are skid marks on the roadway, for example, photographs should be taken. From the time the accident occurs, the victim should attend to their injuries and also play an investigative role in case a lawsuit ensues. It is best to exercise caution and go to the hospital or immediately see a doctor about any injuries, pain or discomfort. It is not for you to determine what is or is not related to an accident with respect to injuries. The doctors who examine you will make that determination.

Upon your release from the hospital, you should contact an attorney. An attorney can assist in making sure that all of your medical bills are paid and can also assist in helping you find qualified physicians in your area. Any surgery is something that should not be taken lightly. You should consult a number of different physicians for varying opinions. Sometimes back surgery is required but other times it is not.

With respect to the property damage to your vehicle, the first determination which must be assessed is whether you possess collision coverage. If you possess collision coverage, your insurance company will pay for the damage to your car subject to any deductible, assuming that damage to the vehicle does not exceed its book value. If the damage to the vehicle exceeds the book value, your insurance company is responsible for only paying the lesser of the two amounts between the fair market value and the amount of damage as determined by an accident appraiser. If you car is older, and you do not have collision coverage on it, your attorney can help you determine the insurer of the other vehicles and make sure that a property damage claim is made against that insurance company.

With regard to your medical bills, you should remember it is the victim's own insurance company that pays the medical bills. In New Jersey, everyone who operates a motor vehicle must possess personal injury protection coverage or PIP. This is sometimes referred to as no-fault insurance. In other words, irrespective of whose fault an accident is, it is the victim's own insurance company that pays their

medical bills. In New Jersey, PIP follows the person. By way of example, if a pedestrian is crossing the street and is struck by another vehicle, if they own their own car even though they were not operating it at the time of the accident, their own automobile insurer pays their medical bills, not the vehicle that struck them. Your attorney can assist you in submitting a PIP application to your insurance company so that your medical bills are paid subject to applicable co-payment and deductible provisions contained within the policy.

When choosing an attorney, you should consider retaining a certified civil trial attorney. You can then be assured that your lawyer has a certain level of experience in handling accident claims. An attorney certified by the Supreme Court of NJ has met certain criteria with respect to civil litigation recognized by the Supreme Court.

"Ask the Attorney" is a blog in which answers to questions submitted to asktheattorney@einhornlawyers.com may be answered. The answers to the questions are for informational purposes only and are not to be construed as legal advice or the creation of an attorney-client relationship. The facts of each case are different; therefore you should seek competent legal representation.