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SOVMYA GEORGE, PLLC

Personal Injury Guide

Not Legal Advice. Intended for Informational Purposes Only. No Attorney-Client Relationship is Created Through the Use of This Guide.

Understanding what a Personal Injury Case is

This kind of case arises when a person is injured due to the wrongdoing or inattention of another person or entity. The person who is injured is referred to as the Plaintiff in the case and the person who conducted the wrongful act is referred to as the Defendant. A personal injury case is heard in civil court where the jury can render a verdict that awards money as compensation for the Plaintiff's sufferings and damages. Common personal injury cases include car accidents, slip and falls, trip and falls, injuries from products, medical malpractice, dog bites, and wrongful death.

What to do After Suffering a Personal Injury

Seek medical attention immediately. A lot of injuries, though not superficial, may be causing significant damage to your body internally. It is extremely important to seek medical help as soon as possible after being injured.

If you are involved in a car accident, ensure to gather the other person's insurance information and identification.

Take photos and videos of the scene of the situation and your injuries. Observe and keep note of any surveillance cameras in the area which could have recorded the accident. Also ask any witnesses who are around for their contact information.

Consult with a personal injury Attorney as soon as possible. Meeting with and discussing what happened with an Attorney will be beneficial to receive professional guidance and advice about the situation, whether you have a valid personal injury case that meets all the elements of liability, and how to proceed.

What **NOT** to do After Suffering a Personal Injury

Do **NOT** wait to seek medical help and delay treatment.



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Do **NOT** apologize for the accident as you may not be aware of the full story in the moment.

Do **NOT** delay seeking advice from a personal injury Attorney.

Do **NOT** get on social media and post about your feelings/injuries/etc. regarding the accident, wait to speak to an Attorney first and follow their advice.

Important Legal Considerations for Personal Injury Cases

Statute of Limitations

Statute of Limitations is a deadline for when a person can lawfully file a personal injury claim in court. The statute of limitations varies from state to state and from claim to claim. In Texas, the statute of limitations for personal injury cases is typically 2 years.

Causes of Action

Common causes of action in personal injury claims in Texas include negligence (defendant breached their duty which caused damages to the plaintiff), negligence per se (defendant violates a statute or regulation that was implemented to protect the public), gross negligence (defendant grossly disregards a substantial risk), bystander claims (close family member who suffered mental anguish caused by witnessing event), negligent hiring/training (failure to adequately screen or train employees), negligent entrustment (trusting someone with something even after knowing or should have reasonably known they are likely to cause harm), and negligent handling of animals (improper control of animals failing to prevent them from harming others).

Each of these causes of action have specific elements that must be proved to successfully win the case. Your Attorney will explain these elements in detail when you consult with them.

Liability & Burden of Proof

In Texas personal injury cases, the burden of proof is on the Plaintiff to convince the jury that “it is more likely than not” that their side of the case is correct. This is called Preponderance of Evidence in legal terms. On scale, the Plaintiff must be able to prove that their case holds more “weight” as compared to the Defendant’s version of the case.



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Legal Procedure for a Personal Injury Case

1. Get Medical Treatment
2. Consult a Personal Injury Attorney
3. Gather Evidence & Investigate
4. Opportunity to Settle the case with the Defendant
5. File a Lawsuit (if necessary)
6. Mediation (another opportunity to settle the case before trial)
7. Trial & Verdict

Possible Damages That Can Be Recovered from a Personal Injury Case

Economic Damages

Such damages can be calculated from specific numbers. Examples include medical bills, lost wages, property damage, future medical bills, etc.

Non-Economic Damages

Such damages are not necessarily able to be calculated from specific numbers and instead must be educationally and realistically assessed based on a person's pain and suffering. Examples include loss of enjoyment of life, emotional distress, loss of companionship, etc.

Are You Injured and Need Help? Contact our Law Office!

The Law Office of Sovmya George, PLLC is here to listen to your story, understand your injuries, and speak with you regarding the next steps. With us, every client matters, and every case is fought with purpose. Feel free to contact us via phone at **972-905-0948** or email admin@lawofficesg.com, or fill out our contact page on our website at www.lawofficesg.com and we'd be delighted to speak with you.