

AUTO ACCIDENT? -- WHAT TO DO

By Attorney Michael H. Wald

In a place where road construction seems a natural occurrence, and where more cars seem to appear from nowhere everyday, it is not surprising we see, and may be involved in, many traffic accidents.

It's sad, but accidents are a fact of life, and auto accidents are notorious for opening the doors for legal problems.

The following recommendations are valid for anyone involved in a traffic accident, regardless of fault.

After the accident, do not continue. As plain as that sounds, there are a lot of citizens who, upon finding that "no real damage" has occurred, keep on their merry way, leaving countless victims behind. You must legally stop after an accident, and check for injured parties.

If you are qualified, you should probably administer first aid and attempt to stop any serious bleeding. Call a health professional or emergency service if the injured party requires it. And unless the victim will likely die, do not move him if he is seriously injured. Injuries can compound with improper motion, especially when the neck or back is involved.

After any victims are being cared for, do your best to warn other drivers of the road impediment. Turn lights on, and use flares to direct traffic away from the scene. If other cars crash because of accident debris or obstructions, you may be responsible if you neglected to warn the drivers.

Call law enforcement officers to the scene. They may decline to come if damage is likely to amount to be less than \$250.00. Insist on it otherwise, especially if you think there will be an

argument over who was at fault.

Record as much data as you can about the accident, through a camera, tape recorder, or note pad. Record time of day, speed, directions of cars, skid distance (step off), names and addresses of witnesses, etc.

You are required under law to exchange driver's licenses if two or more vehicles are involved.

Over all don't let your memory do all the work. It's amazing how fast you forget details and information when you're excited. A cheap instamatic in the glove department comes in quite handy in cases like this and can spell the difference between win and lose in court.

It's a good idea to keep mouth shut and ears open in cases like this. Exchange your license information. Ask for insurance cards and write down the policy and phone numbers. But don't get into any debate over who was going the fastest and failed to see the other. Leave it for later.

Lots of times drivers will become incredibly angry with one another following an accident. Adrenaline flows like a stream, and more than one bloody nose was a result of a fist, not a meeting with the windshield.

A call to your lawyer should happen after the accident, and, after that, a call or visit to your doctor would be wise to see if you might have suffered an injury without knowing it. But your lawyer should be consulted before any meeting with investigators and insurance companies. He can quickly act to preserve your rights and money.

Because all vehicles in Texas must be insured, you will need to present proof of insurance at times like this. Don't complicate things by not having it in your glove compartment (next to your cheap camera, if you're so inclined). It can really mean problems if you forget to have this with you.

To make things easy, the State Bar of Texas has developed an "Emergency Accident Form" for

use in recording all pertinent information after a crash. We'll be happy to send you a copy. Just write to me.

Safe driving!

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