



Car Accident Master Claim Kit

A Structured System to Manage and Win Your Claim

LEGAL STRATEGY GUIDE

JusticeFinder.net

HOW TO USE THIS KIT

- 1. Start with Section 1 immediately after your accident — the 72-hour window is critical.*
- 2. Work through each section in order. Each builds on the last.*
- 3. Print the fillable forms (Sections 2, 4, 5, 6, 10) and keep them in a physical file.*
- 4. Use Section 7 to identify your state's filing deadline on Day 1.*
- 5. Bring this kit to your first attorney consultation — it will save hours.*

This document is for **educational purposes only**. JusticeFinder.net is not a law firm and does not provide legal advice. Laws vary by state.

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Legal Disclaimer & About JusticeFinder

The 72-Hour Action Plan

What to Do Right Now — Your Critical Window

The first 72 hours after a car accident are the most legally important period of your entire claim. Evidence disappears. Witnesses forget details. Insurance companies begin building their defense. Every action you take — or fail to take — in this window will directly affect the value of your claim.

Follow this plan in order. Do not skip steps.

AT THE SCENE — DO THIS BEFORE YOU LEAVE

1	CALL 911 IMMEDIATELY Even if the accident seems minor, call 911. A police report creates an official, third-party record of the crash. Without it, liability becomes your word against theirs. Tell the dispatcher the location, number of vehicles, and whether anyone appears injured. Do NOT say 'everyone is fine' — adrenaline masks pain.
2	SEEK MEDICAL ATTENTION — DO NOT REFUSE EMS If EMS is on scene, allow them to evaluate you. Declining treatment is recorded and will be used by the insurance adjuster to argue your injuries weren't serious. Even if you feel fine, say: 'I would like to be evaluated.' Soft tissue injuries — whiplash, back strain — often present symptoms 24–72 hours after impact.
3	DOCUMENT THE SCENE WITH YOUR PHONE Photograph everything before vehicles are moved. Use the checklist in Section 2. At minimum: both vehicles from all 4 angles, close-up of damage, license plates, the road, skid marks, traffic signals, street signs, and your visible injuries. Turn on location tagging in your camera settings.
4	EXCHANGE INFORMATION — USE THE FORM IN SECTION 2 Get: full name, driver's license number, license plate, insurance company name, policy number, and phone number from every driver. Get names and phone numbers from witnesses. Do NOT let anyone leave without this information.
5	GET THE OFFICER'S INFORMATION Write down: officer's name, badge number, department, and the report number (or how to obtain it). Ask: 'When will the report be available and how do I get a copy?' See Section 3 for the Police Report Tracker.

WITHIN 24 HOURS — DO THIS TODAY

6	GO TO THE EMERGENCY ROOM OR URGENT CARE Even if you were evaluated at the scene, go to the ER or urgent care within 24 hours. Every day you wait without medical documentation weakens your claim. Tell your doctor: 'I was in a car accident on [date] at [time]. I am experiencing [every symptom, no matter how minor].' Request that the accident be documented as the cause.
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- 7** ***NOTIFY YOUR OWN INSURANCE COMPANY***
Call your insurance company to report the accident — most policies require prompt notification. Stick to the facts: date, time, location, the other driver's information. Do NOT give a recorded statement yet. Say: 'I'm reporting the accident as required by my policy. I'm still gathering information and will follow up.'
- 8** ***DO NOT CONTACT THE OTHER DRIVER'S INSURANCE — YET***
The other driver's insurance company will call you. You are NOT required to speak with them. Do NOT give a recorded statement. Say: 'I am not prepared to give a statement at this time. Please send your request in writing.' See Section 5 for the full adjuster protocol.

WITHIN 72 HOURS — SECURE YOUR RECORD

- 9** ***START YOUR CLAIM FILE***
Create a physical folder and a digital backup (cloud storage). Everything goes in here: photos, medical records, bills, insurance correspondence, police report, receipts for any accident-related expenses. Use Section 10's Claim Progress Dashboard as your master index.
- 10** ***CONSULT WITH A PERSONAL INJURY ATTORNEY***
Most personal injury attorneys offer free consultations. This does not mean you must hire one — but a 30-minute consultation will tell you whether your case has complexity that warrants representation. Bring this kit. See Section 8 for the attorney decision checklist.

✓ DO	✗ DO NOT
Call 911 and get a police report	Admit fault or say 'I'm sorry'
Seek medical care within 24 hours	Give a recorded statement to ANY insurer
Photograph everything before vehicles move	Post anything about the accident on social media
Get every witness name and phone number	Sign any releases or settlement forms
Notify your own insurer promptly	Accept cash from the other driver at the scene
Document every symptom, no matter how minor	Discuss accident details except with your attorney
Follow all medical treatment recommendations	Miss medical appointments or stop treatment early

★ PRO TIP: The 'I Feel Fine' Trap

Adrenaline and shock suppress pain signals immediately after a crash. Soft tissue injuries — whiplash, herniated discs, muscle tears — frequently present with a 24–72 hour delay. Refusing EMS or waiting more than 24 hours to see a doctor creates a gap in your medical record that adjusters will exploit. Do not give them that argument.

Scene Documentation Checklist

Evidence Collection— Do This Before Vehicles Move

Photographic and written evidence collected at the scene is irreplaceable. Once vehicles are moved, roads are cleaned, and witnesses disperse, that evidence is gone forever. Work through this checklist systematically — even if you're shaken.

PART A — PHOTO DOCUMENTATION CHECKLIST

Aim for minimum 3 photos per item.

VEHICLE DAMAGE

- Your vehicle — front, rear, driver's side, passenger's side (4 photos minimum)
- Other vehicle(s) — same 4 angles
- Close-up of all points of impact on both vehicles
- Interior of your vehicle (airbags, deployed seatbelts, broken glass)
- License plates of all vehicles involved
- VIN numbers (visible through windshield on dashboard)
- Tire condition on all vehicles (blowouts, bald tires)

ROAD & SCENE CONDITIONS

- Overall scene from a distance (shows road layout, intersections, lanes)
- Skid marks, debris fields, or fluid spills
- Traffic signals (and their current status/position)
- Street signs and road markings relevant to the crash
- Lane lines, crosswalks, stop lines
- Potholes, road damage, or obstructions that contributed to crash
- Weather conditions (wet road, ice, fog, glare — photograph evidence)
- Lighting conditions if crash occurred at dusk or night
- Construction zones or temporary signage if applicable

INJURY DOCUMENTATION

- All visible injuries on your body (cuts, bruises, swelling, abrasions)
- Torn or bloodied clothing
- Your injuries from multiple angles
- Note: photograph injuries again at 24 and 72 hours — bruising darkens

SURROUNDING AREA

- Businesses or homes with security cameras (photograph the camera location)
- Traffic cameras at the intersection
- Witnesses still on scene (with their permission if possible)
- Your vehicle's final resting position before it is moved
- Other driver's behavior or statements (video if safe to do so)

*** PRO TIP: Video Beats Photos**

Walk around both vehicles recording video while narrating what you see. Video captures details photos miss, including scene layout, skid mark positions, and witness behavior. One 90-second walkthrough is worth more than 20 static photos.

PART B — OTHER DRIVER INFORMATION FORM

Full Legal Name

Driver's License Number

State Issuing License

Date of Birth

Home Address

Cell Phone Number

Insurance Company Name

Policy Number

Insurance Phone Number

Vehicle Make / Model / Year

License Plate Number

State of Registration

Other Driver's Statement at Scene (exact words if possible):

PART C — WITNESS INFORMATION FORM

WITNESS 1

Full Name

Phone Number

Email Address

Home Address

What They Witnessed (summary)

WITNESS 2

Full Name

Phone Number

Email Address

Home Address

What They Witnessed (summary)

PART D — ROAD & WEATHER CONDITIONS LOG

Date of Accident

Exact Time

Road Surface (dry / wet / icy / gravel)

Visibility (clear / fog / rain / snow / glare)

Posted Speed Limit

Traffic Signal Status at Impact

Road Markings Present (yes/no — describe)

Any Obstructions or Hazards

Describe road conditions in your own words:

■ **WARNING: Social Media Is Evidence**

Do NOT post any photos, comments, or updates about the accident on any social media platform. Insurance investigators routinely monitor claimant social media. A photo of you at a concert three weeks after claiming back pain can destroy your case. Set all accounts to private immediately.

Police Report Tracker

Obtaining, Reviewing & Correcting Your Official Record

The police report is the backbone of your claim — the first independent, official account of the crash. Insurance companies rely on it to assign initial fault. Errors in the report can cost you thousands. Obtain it, review it critically, and correct any errors immediately.

WHAT A POLICE REPORT CONTAINS

Report Element	Why It Matters
Date, time, and exact location of the crash	Basic facts that establish the record
Names, addresses, license numbers of all drivers	Identity verification
Vehicle descriptions and license plates	Asset identification
Insurance information for all parties	Coverage verification
Names and contact info of witnesses	Third-party evidence
Officer's narrative description of the crash	Critical — this is the officer's fault assessment
Diagram of the crash scene	Spatial reconstruction of events
Citations issued (if any)	Establishes fault indicators
Injuries noted at the scene	Initial injury documentation
Officer's opinion on contributing factors	May include weather, road conditions, driver behavior

HOW TO REQUEST YOUR POLICE REPORT

- Call the department that responded (city police, county sheriff, or state highway patrol).
- Ask for the Records Division. Provide the date, time, and location of the crash.
- Request the report number if you have it (from the responding officer).
- In most states you can also request online via the department's website or LexisNexis.
- Bring or mail a copy of your ID. Most reports cost \$5–\$25.
- Request a **certified copy** — some insurance companies require this.

ERROR REVIEW CHECKLIST

- Your name, address, and date of birth are correct
- Your driver's license number is correct
- Your vehicle make, model, year, and plate are correct
- The date, time, and location of the crash are correct
- The other driver's information is complete and correct
- Your injuries are listed (if you were injured, this must appear)
- The officer's narrative matches what actually happened
- The diagram accurately reflects the positions of vehicles
- Any citations issued are correct (wrong citations can affect fault)

- ☐ Witness information is complete
- ☐ No contributing factors are listed for you that are incorrect
- ☐ If you were NOT at fault, confirm the report reflects this

NOTES — Errors Found in My Report:

POLICE REPORT TRACKER — FILLABLE

Report / Case Number

Responding Agency (Department)

Officer's Full Name

Officer's Badge Number

Officer's Direct Phone / Email

Date Report Requested

Date Report Received

Report Cost Paid

Errors found in report (describe):

Supplement filed? (Yes / No / Pending) — Date filed:

*** PRO TIP: File a Supplement if the Report Is Wrong**

If the police report contains errors — especially regarding fault, your injuries, or the facts of the crash — you have the right to file a supplemental statement. Contact the reporting officer's department and ask for the process to add a supplement. This becomes part of the official record. It is far easier to correct errors early than to challenge them during litigation.

MEDICAL PROVIDER CONTACT LIST

Emergency Room / Hospital

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

Primary Care Physician

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

Orthopedic Specialist

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

Neurologist

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

Physical Therapist

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

Chiropractor

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

Pain Management Specialist

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

Mental Health Provider

Provider Name / Facility

Phone Number

Address

Fax / Records Request Number

*** PRO TIP: Request Your Records Continuously**

Don't wait until your claim is in dispute. Request a copy of every visit's notes within 2 weeks of the appointment. Review them for accuracy. If a symptom you reported is missing, call the provider's office and ask for a correction. You have a legal right to your own medical records (HIPAA). Most providers must provide them within 30 days of your request.

Insurance Adjuster Communication Protocol

What to Say, What Not to Say & How to Keep a Verifiable Record

The moment an insurance adjuster contacts you, you are in a negotiation — whether you know it or not. Adjusters are trained professionals whose performance reviews are tied to how much they save the company. They are not your advocates. This section gives you the exact protocol used by experienced claimants.

WHO IS THE ADJUSTER AND WHAT DO THEY WANT?

- Adjusters work for the insurance company — not for you. Their loyalty is to their employer.
- They are trained to gather information that limits the company's payout.
- Everything you say is documented and may be used against you.
- Their first offer is almost never their best offer — it's their opening bid.
- They sound friendly. That is a tactic. Friendly does not mean trustworthy.
- They may call repeatedly in the days after the accident, hoping to catch you off-guard.

SAY THIS vs. NEVER SAY THIS

✓ SAY THIS	✗ NEVER SAY THIS
'I am not prepared to give a recorded statement at this time.'	'I feel fine' or 'I'm okay' — even if you feel okay right now
'Please send all communications in writing to this address.'	'It was partly my fault' or 'I didn't see them coming'
'I am still receiving medical treatment and do not know the full extent of my injuries.'	'I think' or 'I'm not sure but...' — hedging weakens your position
'I am not ready to discuss settlement at this time.'	Any estimate of your injuries before you have full medical records
'I have retained an attorney / I am consulting with an attorney.'	Accepting any settlement offer without consulting an attorney first
'Please confirm the claim number and your supervisor's contact information.'	Speculating about what happened, speed, or who is at fault

FIRST CALL SCRIPT — USE THIS WORD FOR WORD

"Thank you for calling. I want to confirm I'm speaking with [Name] from [Company]. What is your claim number and your direct phone number? I'm going to write that down." [After getting their info:] "I am still receiving medical treatment and do not yet know the full extent of my injuries. I am not prepared to give a recorded statement at this time. Please send any correspondence in writing to [your address or attorney's address]. I will be in touch." [If they push for a recorded statement:] "I understand. I'm not refusing to cooperate — I'm simply not prepared to give a statement before I have complete information about my injuries. I will be happy to do so through my attorney."

ADJUSTER COMMUNICATION LOG — FILLABLE

Date / Time	Adjuster Name	Company	Phone	What They Said / Asked	What You Said	Promises Made
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RED FLAGS — SIGNS YOUR INSURER MAY BE ACTING IN BAD FAITH

- Unreasonable delays in responding to your claim without explanation
- Denying your claim without conducting a proper investigation
- Offering a settlement amount far below your documented damages
- Threatening or pressuring you to accept a quick settlement
- Refusing to explain the basis for denying your claim in writing
- Misrepresenting your policy language or coverage terms
- Failing to communicate within time frames required by your state's law
- Demanding excessive documentation not required by your policy

If you experience 3 or more of these behaviors, consult an attorney about a **bad faith insurance claim**. Most states allow punitive damages against insurers who act in bad faith.

**** PRO TIP: Everything in Writing After Phone Calls***

After every phone conversation with any adjuster, send a brief email: 'Confirming our call today at [time]. You stated [X]. I stated [Y]. You agreed to [Z] by [date].' This creates a written record of verbal commitments and signals to the adjuster that you are organized — making them less likely to take advantage of you.

Damages Inventory Worksheet

Document Every Dollar You Are Owed

Your damages are the total of everything you have lost — financially and personally — because of this accident. **Economic damages** are your calculable financial losses. **Non-economic damages** are your pain, suffering, and diminished quality of life. Both must be documented in detail.

PART A — ECONOMIC DAMAGES

MEDICAL EXPENSES — List all bills received to date:

Date	Provider / Facility	Service Type	Amount Billed	Insurance Paid	Out-of-Pocket
TOTALS			\$ _____	\$ _____	\$ _____

LOST WAGES — Calculation Formula:

Formula: (Daily Wage) × (Days Missed) = Lost Wages

Daily Wage = Annual Salary ÷ 260 OR Hourly Rate × Hours/Day

Employer Name _____

Job Title _____

Hourly Rate OR Annual Salary _____

Hours Worked Per Day _____

Days Missed Due to Injury _____

Daily Wage (calculated) _____

TOTAL Lost Wages _____

Employer Documentation Obtained (yes/no) _____

OTHER ECONOMIC DAMAGES:

Vehicle repair or total loss value	\$ _____
Rental car costs (dates and total)	\$ _____
Transportation to medical appointments (mileage × IRS rate)	\$ _____
Prescription medications	\$ _____
Medical equipment (braces, crutches, ice packs, etc.)	\$ _____
Home care / personal assistance required	\$ _____
Future medical treatment (estimate from doctor)	\$ _____
Future lost wages (if permanent injury affects earning capacity)	\$ _____
Property damage other than vehicle (phone, laptop, etc.)	\$ _____
TOTAL ECONOMIC DAMAGES	\$ _____

PART B — NON-ECONOMIC DAMAGES (Pain & Suffering)

Non-economic damages are real and compensable, but they require documentation. Use this section to record the daily impact of your injury.

Average daily pain level (1–10)	_____ / 10
Activities you can no longer do (list specifically)	_____
Sleep disruption — average hours lost per night	_____ hours
Impact on work performance beyond missed days	_____
Impact on family / relationships / parenting	_____
Emotional impact (anxiety, depression, PTSD, fear of driving)	_____
Hobbies or recreation permanently or temporarily lost	_____
Number of days with severe pain (unable to function normally)	_____ days

TOTAL DAMAGES SUMMARY

Total Medical Expenses (billed):	\$ _____
Total Lost Wages:	\$ _____
Total Other Economic Damages:	\$ _____
TOTAL ECONOMIC DAMAGES:	\$ _____

★ PRO TIP: Keep a Pain Journal

Start a daily pain journal the day of your accident. Write 2–3 sentences each day: your pain level, what you could and couldn't do, how the injury affected your sleep, work, and personal life. Dated, contemporaneous pain journals carry significant weight in settlement negotiations and at trial.

Filing Deadline Tracker by State

Statute of Limitations—All 50 States+DC

The statute of limitations (SOL) is the legal deadline by which you must file a lawsuit for your injuries. Miss this deadline by even one day and you **permanently lose the right to sue** — no matter how strong your case is. This is the most critical deadline in your entire claim. Know it on Day 1.

⚠ **WARNING: WARNING: This Table Is a Reference Only**

SOL periods can be affected by: the discovery rule, the age of the victim, government defendants (much shorter — often 6 months), defendant's absence from state, and bankruptcy. Always verify your specific deadline with a licensed attorney in your state.

FILL IN YOUR DEADLINE:

Date of Accident

Your State

SOL Period (from table below)

YOUR FILING DEADLINE DATE

PERSONAL INJURY STATUTE OF LIMITATIONS — ALL 50 STATES + DC

State	SOL (Yrs)	Key Notes
Alabama	2	Discovery rule applies; government claims: 6 months
Alaska	2	Discovery rule applies
Arizona	2	Strict 2-year limit; government: 180-day notice
Arkansas	3	Discovery rule applies
California	2	Government claims: 6-month claim filing required first
Colorado	3	Discovery rule in some cases; government: 180 days
Connecticut	2	Discovery rule applies; government: 6 months
Delaware	2	Discovery rule applies
Florida	2	As of 2023; previously 4 years; government: 3 years
Georgia	2	Strict limit; government claims shorter
Hawaii	2	Discovery rule applies
Idaho	2	Discovery rule limited; government: 180 days
Illinois	2	Discovery rule applies; government: 1 year
Indiana	2	Discovery rule applies; government: 270 days
Iowa	2	Discovery rule applies
Kansas	2	Discovery rule applies; government: 120 days
Kentucky	1	★ ONE YEAR — Act immediately
Louisiana	1	★ ONE YEAR — Prescriptive period; very strict
	6	
Maine		One of the longest; government: 2 years
	3	
Maryland		Government: 1 year notice required

Massachusetts	3	Discovery rule applies; government: 2 years
Michigan	3	Discovery rule applies; government: 6 months
Minnesota	2	Discovery rule applies; government: 180 days
Mississippi	3	Discovery rule applies
Missouri	5	One of the longest
Montana	3	Discovery rule applies
Nebraska	4	Government: 2 years; notice required
Nevada New	2	Government: 2 years with 6-month notice
Hampshire New	3	Discovery rule applies
Jersey New	2	Government: 90-day notice required
Mexico New	3	Government: 2 years with 90-day notice
York North	3	Government: 1 year 90 days; 90-day notice required
Carolina North	3	Discovery rule applies
Dakota Ohio	6	One of the longest
Oklahoma	2	Discovery rule applies; government: 2 years
Oregon	2	Discovery rule applies; government: 1 year
Pennsylvania	2	Government: 180-day notice required
Rhode Island	2	Government: 6 months notice required
South Carolina	3	Discovery rule applies
South Dakota	3	Government: 2 years with notice
<i>Tennessee</i>	3	Government: 2 years
Texas Utah	1	★ ONE YEAR — Act immediately; government: 1 year
Vermont	2	
Virginia	4	Government: 6-month notice required
Washington	3	Government: 1 year with notice
Washington	2	Discovery rule applies
D.C. West	3	Government: 1 year with notice
Virginia	3	Government: 3 years with notice
Wisconsin	2	Government: 6-month notice required
Wyoming	3	Discovery rule applies
	4	Government: 120-day notice required
		Government: 2 years

★ States marked★ (Kentucky, Louisiana, Tennessee) have **1-year deadlines** . Act immediately if you are in one of these states.

⚠ **WARNING: Government Vehicles — Much Shorter Deadlines**

If the other vehicle was a government vehicle (city bus, postal truck, police car, school bus, state vehicle), most states require you to file a 'Notice of Claim' within 90–180 days — months before any lawsuit deadline. Missing the government notice deadline can bar your claim entirely. Identify government involvement on Day 1.

When to Hire an Attorney

The Decision Checklist—GreenLight / RedLightSystem

Not every car accident claim requires an attorney. Minor fender-benders with no injuries and clear liability can sometimes be resolved directly with the insurance company. But the moment your case involves real injuries, disputed fault, or insurance resistance, the calculus changes. Studies consistently show that claimants represented by attorneys receive settlements **3–4x higher** — even after attorney fees.

■ **RED LIGHT** — Hire an Attorney if *ANY* of These Apply:

- You have ANY injury requiring medical treatment beyond first aid
- You were hospitalized or required surgery
- You have soft tissue injuries (whiplash, sprain, strain, herniated disc)
- You missed work or may miss future work due to your injuries
- Liability is disputed — the other driver or their insurer denies fault
- There are multiple vehicles or multiple at-fault parties
- A government vehicle or employee was involved
- The other driver was uninsured or underinsured
- Your own insurer is treating you adversarially
- The insurance company has denied your claim or any portion of it
- You had pre-existing conditions the insurer is trying to blame
- You are unsure of the full value of your claim
- The accident involved a commercial truck, rideshare, or bus
- A loved one was seriously injured or killed in the accident
- You have received a settlement offer but are unsure if it is fair
- You were a pedestrian or cyclist struck by a vehicle

■ **GREEN LIGHT** — You May Manage This Yourself If *ALL* of These Are True:

- No injuries — property damage only
- Liability is clearly the other driver's fault with no dispute
- The other driver's insurance has accepted liability in writing
- Your vehicle damage is the only claim
- You are comfortable negotiating and documenting independently
- The property damage amount is under \$2,000

SCORING YOUR DECISION

Red Flag Count	Recommended Action
0 Red Flags	You may be able to handle this yourself. Use this kit carefully.
1–2 Red Flags	Consult with an attorney. Most offer free consultations.
3+ Red Flags	<i>You need an attorney. The complexity and stakes are too high to navigate alone.</i>

WHAT TO BRING TO A FREE ATTORNEY CONSULTATION

- This completed Claim Kit
- Police report (or the report number and department information)
- All photos from the scene
- All medical records and bills received so far
- Insurance policy declarations pages (your own policy)
- All correspondence from any insurance company
- Your completed Damages Inventory Worksheet (Section 6)
- Your Adjuster Communication Log (Section 5)
- A written summary of what happened in your own words
- Your employer information and documentation of missed work
- List of all witnesses with contact information
- Any video footage of the accident (dashcam, witness phone video)
- Your written list of questions for the attorney

QUESTIONS TO ASK THE ATTORNEY:

- What is your experience with car accident cases similar to mine?
- What is your fee structure? (contingency — you should pay nothing upfront)
- What percentage do you take from the settlement?
- Who in your firm will actually handle my case day-to-day?
- What is your honest assessment of my case's value?
- What is the realistic timeline for my type of claim?
- What do you need from me to move forward?

★ PRO TIP: Free Consultations Are Standard — Use Them

Personal injury attorneys work on contingency — they get paid a percentage (typically 33–40%) of your settlement or jury verdict, and nothing if you don't recover. There are no upfront fees. Consulting with multiple attorneys costs you nothing. Interview at least 2–3 before deciding. Chemistry and communication matter — this person will be your partner for months or years.

Demand Letter Preparation Checklist

Assembling Your Demand Package — The Foundation of Your Settlement

The demand letter is your formal opening position in settlement negotiations. It tells the insurance company exactly what happened, what you suffered, what you are owed, and what you are demanding. A well-crafted demand letter supported by strong documentation is the most powerful tool an unrepresented claimant has. This checklist ensures yours is done right.

WHEN TO SEND YOUR DEMAND LETTER

Critical rule: Do NOT send a demand letter until you have reached **Maximum Medical Improvement (MMI)** — the point your doctor says your condition has stabilized. Settling before MMI means you may not account for future medical costs, ongoing pain, or permanent impairment. The only exception is when your SOL deadline is approaching — in that case, consult an attorney immediately.

WHAT YOUR DEMAND LETTER MUST INCLUDE

1. Heading & Address Block

- Date, your name and address
- Insurance company name and claims address
- Claim number
- Re: [Your Name] vs. [Other Driver] — Demand for Settlement

2. Facts of the Accident

- Date, time, and location of crash
- Brief factual description of what happened
- Why the other driver is at fault (cite police report, traffic laws)
- Weather and road conditions

3. Your Injuries

- Detailed description of every injury diagnosed
- Initial symptoms vs. current status
- Whether you have reached MMI or are still treating
- Any permanent impairment or scarring

4. Your Medical Treatment

- Every provider seen with dates
- Every procedure and treatment received
- Total medical bills (itemized in an attached summary)
- Future medical needs and estimated costs

5. Lost Wages

- Employer name and contact
- Period of missed work with dates
- Dollar amount calculated
- Supporting documentation attached

6. Pain and Suffering

- Narrative of daily impact on your life
- Impact on work, family, hobbies, sleep
- Emotional distress, anxiety, fear of driving
- Reference to your pain journal

7. Your Demand Amount

- Your total economic damages
- Your non-economic damages (with your reasoning)
- The total demand amount
- A response deadline (typically 30 days)

HOW TO CALCULATE YOUR DEMAND NUMBER

The Multiplier Method: Total Medical Bills × Multiplier + Lost Wages + Other Costs = Starting Demand

Multiplier	Situation
1.5–2×	Minor soft tissue injuries, full recovery, short treatment
2–3×	Moderate injuries, 3–6 months treatment, some impact on daily life
3–5×	Significant injuries, surgery, long-term treatment, permanent impact
5×+	Catastrophic injuries, permanent disability, extreme pain and suffering

YOUR DEMAND CALCULATION:

Total Medical Bills:	\$ _____
× Multiplier:	× _____
= Non-Economic Subtotal:	\$ _____
+ Total Lost Wages:	\$ _____
+ Other Economic Damages:	\$ _____
= YOUR TOTAL DEMAND:	\$ _____

DOCUMENTS TO ATTACH TO YOUR DEMAND PACKAGE

- Police report (certified copy preferred)
- All medical records from every treating provider
- Complete medical bills (itemized, not just summary totals)
- Photos of the scene, vehicles, and your injuries
- Lost wages documentation (employer letter + pay stubs)
- Receipts for all out-of-pocket expenses
- Photos of vehicle damage (pre-repair)
- Any property damage estimates or repair invoices
- Prescription receipts
- Written impact statement (your pain journal highlights)
- Expert opinions or IME reports (if available)

- Any witness statements in writing

HOW TO SEND YOUR DEMAND LETTER

- 1. Send via certified mail, return receipt requested — this creates a dated, signed delivery record.*
- 2. Also send via email if you have the adjuster's email — forward the same letter as a PDF attachment.*
- 3. Keep a copy of the complete demand package (letter + all attachments) for your file.*
- 4. Note the response deadline in your Claim Progress Dashboard (Section 10).*
- 5. If you don't receive a response by the deadline, send a follow-up and consider consulting an attorney.*

★ PRO TIP: Start High, Not Fair

Your demand letter should NOT open at what you consider a 'fair' number. It should open at a defensible number that gives you room to negotiate down. If your true minimum acceptable settlement is \$30,000, demand \$50,000–\$60,000. The adjuster will counter low. If you start at your bottom line, you have nowhere to go. Starting high signals confidence — and adjusters respond to that.

Claim Progress Dashboard

Your Master Tracker— PrintThis& KeepIt Accessible

This is your command center. Fill it out as soon as possible and update it throughout your claim. Print this page and keep it somewhere visible. It gives you instant access to every critical number, name, and date in your case.

CLAIM IDENTIFICATION

Your FullName

Date of Accident

Location of Accident

Your Claim Number (your insurer)

Adverse Claim Number (other insurer)

Police Report Number

Date of Police Report Request

Date Report Received

INSURANCE CONTACTS

Party	Name	Company	Phone	Email
YOUR Adjuster				
OTHER Adjuster				
Your Agent				

ATTORNEY INFORMATION

Attorney Name

Law Firm

Phone

Email Address

Paralegal / Case Manager

Contingency Fee %

KEY DATES — NEVER MISS THESE

Date	Event	Status
_____	Date of Accident	COMPLETED
_____	Statute of Limitations Deadline (from Section 7)	★ CRITICAL DATE
_____	Government Notice Deadline (if applicable)	★ CRITICAL DATE

_____	Police Report Requested	_____
_____	Police Report Received	_____
_____	First Medical Appointment	_____
_____	MMI Date (when doctor clears you)	_____
_____	Demand Letter Sent	_____
_____	Demand Response Deadline (30 days from demand)	_____
_____	Settlement Agreement Signed	_____
_____	Settlement Payment Received	_____

OPEN ACTION ITEMS — UPDATE WEEKLY

<i>Date Added</i>	<i>Action Required</i>	<i>Deadline</i>	<i>Done?</i>
			■
			■
			■
			■
			■
			■
			■
			■
			■

CLAIM STATUS SUMMARY

Current Stage (circle one): Scene Documentation / Medical Treatment / Insurance Negotiation / Demand Sent / Litigation / Settlement

Biggest Outstanding Issue:

Next Scheduled Action:

Attorney Notes:

*** PRO TIP: Review This Dashboard Every Week**

Set a recurring reminder on your phone: every Sunday, spend 10 minutes updating this dashboard. Add new bills, log adjuster calls, check your deadlines. The claimants who get the best outcomes are the ones who stay organized and engaged throughout the process. Adjusters can tell within the first few calls whether a claimant is tracking everything — and they negotiate accordingly.

About JusticeFinder

JusticeFinder (JusticeFinder.net) is an independent legal education platform serving accident victims across the United States. We publish research-backed guides, calculators, and tools to help people understand their rights, organize their claims, and make informed decisions — without the sales pressure of a law firm referral service.

JusticeFinder does not generate attorney referral fees, accept lead generation payments, or have financial relationships with law firms. Our editorial standards require all content to be based on court records, statutes, and verified legal sources, reviewed monthly for accuracy.

Free Tools Available at JusticeFinder.net

→ <i>Pain and Suffering Calculator</i>	Estimate non-economic damages using multiplier and per diem methods
→ <i>Soft Tissue Injury Settlement Calculator</i>	Model whiplash and strain claims with documentation-aware estimates
→ <i>Statute of Limitations Calculator</i>	Find your state's filing deadline and highlight timing risks
→ <i>Car Accident Fault Percentage Estimator</i>	Estimate shared fault and see how negligence rules affect recovery
→ <i>Medical Lien Settlement Reduction Calculator</i>	Estimate your net recovery after fees, costs, and lien reductions
→ <i>Demand Letter Generator</i>	Build a complete demand letter with your facts and damages
→ <i>12 Google Sheets Trackers</i>	Evidence log, claim tracker, medical expense log, and more — free to copy

Always consult with a licensed personal injury attorney regarding your specific situation. All tools at JusticeFinder.net are free.