



The New Claim Starter Checklist

What to do in the first days after an accident — before you talk to an adjuster

A free guide from JusticeFinder · Independent legal education · Not a law firm

Read this first. This checklist is general educational information, not legal advice, and using it does not create an attorney-client relationship. Every claim is different, deadlines and rules vary by state, and only a licensed attorney in your state can tell you whether you have a case or what it's worth. Use this to get organized and avoid common early mistakes — then get advice specific to your situation.

Why the first days matter most

The choices you make in the first week — what you document, what you say, and what you preserve — shape what's possible for the rest of your claim. Evidence disappears. Memories fade. Deadlines start running the day of the accident. And the insurance adjuster who calls you is trained, prepared, and working for the other side. This checklist helps you start on even footing.

Work through it in order. The items near the top are the most time-sensitive.

1 Protect your deadline (do this first)

Every state sets a hard deadline — the **statute of limitations** — to file an injury claim. Miss it, and your claim usually ends, no matter how strong it was. Some claims (against a city, county, or state entity) have a separate, much shorter notice deadline — sometimes as little as 60–180 days.

- ☐ Write down the **exact date** of your accident.
- ☐ Look up your state's filing deadline for your type of claim. (*Use JusticeFinder's Statute of Limitations by State tool.*)
- ☐ If a government vehicle, employee, or property was involved, check for a separate **notice-of-claim deadline** — these are short and unforgiving.
- ☐ Put the deadline somewhere you'll see it. Don't rely on memory.

Don't assume you have "plenty of time." Confirm your exact deadline now — the cost of checking is nothing; the cost of missing it is your entire claim.

2 Get medical care — and keep the paper trail

A gap between the accident and your first treatment is one of the most common reasons claims get reduced. It lets the other side argue you weren't really hurt.

- ☐ See a medical provider as soon as possible, even if you "feel okay" — some injuries surface days later.
- ☐ Tell every provider the injury is from the accident, so it's in the record.
- ☐ Follow the treatment plan. Skipped appointments get used against you.
- ☐ Keep every bill, discharge note, prescription, and receipt.
- ☐ Start a simple log: date, provider, what hurt, what they said.

3 **Preserve the evidence before it's gone**

Physical evidence and digital records get repaired, deleted, or overwritten fast — vehicle damage, dashcam footage, store CCTV, and commercial-vehicle data can vanish within days or weeks.

- ☐ Photograph everything: vehicles, the scene, your visible injuries, road/weather conditions.
- ☐ Get the names and contact info of any witnesses.
- ☐ Save the police report number (and request a copy when it's ready).
- ☐ Note anything that might be on camera nearby — and act fast, since footage is often overwritten.
- ☐ Keep the damaged items (clothing, gear, the vehicle) until you're told it's safe to repair or discard.

For commercial trucks, rideshare trips, or business premises, a formal **evidence-preservation (spoliation) letter** may be needed quickly. (*JusticeFinder has a free generator for this.*)

4 **Track every dollar the accident costs you**

Claims are built on documentation, not estimates. The losses you can't prove usually don't get paid.

- ☐ Medical bills and out-of-pocket costs (co-pays, prescriptions, medical supplies).
- ☐ Lost wages, missed shifts, and used PTO/sick time.
- ☐ Travel costs to appointments (mileage, parking, tolls).
- ☐ Property damage — repairs, total loss, rental/loss-of-use, and any diminished value.
- ☐ Anything you now pay someone else to do (childcare, housework, yard work) because of your injury.

Keep these in one place from day one. (*JusticeFinder's trackers and calculators can help you total them up.*)

5 **Be careful with the insurance adjuster**

The adjuster may sound friendly and helpful. Their job is to settle your claim for as little as possible — and the early call is where claims get quietly undermined.

- ☐ You generally do **not** have to give a recorded statement to the other driver's insurer. Be cautious before agreeing.
- ☐ Stick to facts. Don't guess, speculate, or downplay your injuries ("I'm fine," "it's nothing") — those phrases resurface later.
- ☐ Don't accept the first offer reflexively. Early offers are often well below what a claim is worth.
- ☐ Don't sign anything — especially a medical authorization or a release — before you understand it.
- ☐ Keep a log of every call: date, who you spoke to, what was said.

6 **Know when to get a lawyer's eyes on it**

You don't have to hire anyone — but a short consultation is usually free, and it helps you understand your options before you make decisions you can't undo. Consider it especially if there are serious injuries, disputed fault, multiple parties, a government entity, or a settlement offer on the table.

- ☐ Gather what you've collected above before any consultation — it makes the conversation far more useful.
- ☐ Ask how fees work (most injury lawyers work on contingency — no fee unless you recover).
- ☐ Ask what your claim's realistic strengths and weaknesses are.
- ☐ Don't sign a settlement or a representation agreement under pressure. Take the time to understand it.

Your quick-start summary

1. **Confirm your filing deadline today** — it's the one mistake you can't fix.
2. **Get treated and keep every record** — no gaps.
3. **Preserve evidence now** — it disappears fast.
4. **Document every cost** — if it's not written down, it's hard to claim.
5. **Be careful with adjusters** — facts only, sign nothing you don't understand.
6. **Get advice before big decisions** — consultations are usually free.

Keep going — free tools from JusticeFinder

- **Do I Have a Case? Screener** — see which elements of a claim are present, partial, or missing.

- **Statute of Limitations by State** — confirm your exact filing deadline.

- **Evidence Checklist** — a fuller list of what to preserve.

- **Net Settlement Calculator** — understand what actually reaches you after fees and liens.

JusticeFinder publishes independent legal education — we are not a law firm and do not provide legal advice or representation. Laws and deadlines vary by state and change over time. For advice about your specific situation, consult a licensed attorney in your state.