



Personal Injury Warriors  
Education

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*The Ultimate*  
**CALIFORNIA CAR  
ACCIDENT  
GUIDE | 2023**





## Preface



Hello. I am [Los Angeles personal injury attorney](#), Michael Ehline, Esq. For over a

decade I have been helping accident injury victims in California. I am an inactive U.S. Marine, have owned several small businesses and grew up the construction industry. Unlike many lawyers who spent their formative years in campus culture, I moved out of the house at 16, got a full time job as a painter's apprentice and went to school at night.

After being injured in the Marines, I became a paralegal, and did the legal work for my small businesses. Ultimately, I became a lawyer on the California State Bar Law Office Study Program and was sworn in by an appellate justice I externed for in the summer. In this e-book, I have used my skills as a normal person to try and explain [everything you need to know about car accidents](#).

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## Introduction:

Have you or a loved one recently been involved in a car accident? Motor vehicle accidents are often scary and painful. Plus, dealing with car accident claims can be quite tricky.

“California car accidents, especially in Los Angeles, can be precarious. You see billboard ads from old lawyers who don’t even practice law, or worse, freshly minted law students using daddy’s money to buy sponsored ads. The wrong legal advice, or lawyer can cost you millions of dollars. The wrong lawyer will be more concerned about settling and getting paid than looking out for you. This ultimate Guide should help cut through the BS. Enjoy.” - Michael Ehline, Esq.

There are so many challenges you have to face after being involved in an auto accident. From expensive medical bills

to lost wages, pain and suffering, and recovering from your physical injuries, the process can become quite overwhelming.

To take some of the stress off your shoulders, you should hire a California car accident lawyer who knows what it takes to win a case. The compassionate and experienced car accident lawyers at Ehline Law Firm are here to help you through the entire legal process. Whether you have questions about insurance claims or recovering compensation for your medical bills, we have the answers you need.

If you're interested in the 2023 California car accident laws, here are the ins and outs of what you need to know!



# Do You Need an Experienced Personal Injury Attorney for a California Car Accident?

Did you know there are hundreds of car accidents on California's roads every day? This leads to severe injuries and thousands of dollars in damage.

What do you do after something so catastrophic? Do you need a car accident lawyer? Are you eligible for compensation from the at-fault party's insurance company? Will they cover the cost of damages?

Yes, yes, and yes! Hiring a knowledgeable personal injury attorney after something so catastrophic is essential. Without an attorney, it will be extremely difficult to build a solid case and negotiate a favorable settlement offer with the insurance company. This could result in you settling for much less than you deserve.

An attorney is here to fight for your rights! Let the qualified California car accident lawyers from Ehline Law Firm help you recover the maximum compensation you're entitled to. We'll fight aggressively for your best interests regardless of what type of accident you were involved in. You focus on recovering and your family, and we'll take care of all your legal needs.

Ultimate

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## An Experienced Car Accident Lawyer Can Help Establish Fault

Since California is a fault state, the party responsible for the incident pays compensation to the victims for personal injuries and property damage. When working with a no-fault state such as Florida, it doesn't matter who was responsible for the car crash. Each party needs to contact their own insurance company to receive personal injury benefits.

However, under California law, if you prove that the negligent party caused the accident, you'll be able to contact their insurance company to claim damages for medical bills, property damage, emotional trauma, etc.

This is known as "establishing fault." Establishing fault can either be a simple or a complicated process.

**The knowledgeable team at Ehline Law Firm can prove fault by obtaining evidence. We'll do the following:**

- Obtain and evaluate the police report
- Find video evidence from the accident
- Speak to eyewitnesses who saw the crash take place
- Get the other driver to confess under oath
- Assess the damage done to your car - this provides crucial evidence about speed and who hit who.

If you don't have a car accident lawyer you'll need to take care of all of this by yourself, which will be difficult and time-consuming.

## Experienced Car Accident Attorneys Can Negotiate a Favorable Settlement

After establishing fault, you can request compensation by submitting a claim to the at-fault party's car insurance company.

## You can receive compensation for the following losses in California:

- Lost wages - if the injuries prevent you from going to work
- Money spent on medical care, such as prescription medication and rehabilitation
- Pain and suffering, including emotional distress
- Damage to your property and vehicle.

Certain insurance companies might deny your claim because they are hesitant to pay damages. Other insurance providers can give you a lowball offer with the hope that you'll accept it. Unfortunately, most people without attorneys accept the minimal amounts that insurance companies provide.

The sad truth is that most people who try to negotiate higher settlements don't succeed. Our car accident lawyers at Ehline Law Firm will first establish how much damages you're entitled to. We consider all factors, such as emotional trauma and pain. Next, we'll negotiate with the insurance company to increase the offer.

The negotiation process can be quite challenging; therefore, you need skilled lawyers who can get you what you need.

## What Are the Most Common Causes of California Car Accidents?

Many factors can cause car accidents in California; however, a few of them happen much more often than others.

### In California, most car accidents are caused by:

- **Speeding:** Speeding causes more than 50,000 California car accidents every year.
- **Distracted driving:** Using your cell phone, eating, or drinking causes you to lose focus on what's happening on the roads.

- **Failing to comply with traffic laws:** Examples include making illegal U-turns and following too closely.
- **Driving under the influence (DUI):** This results in over 500 fatal accidents every year.
- **Poor road conditions:** The government is responsible for ensuring that the roadways are safe at all times.
- **Drivers who weren't aware of their surroundings:** This includes not paying attention to other drivers, stop lights, or road signs.
- **Manufacturer errors:** If the vehicle fails because of manufacturer errors, you may hold the manufacturer accountable.

## What Are the Different Types of Car Injuries?

The impact of car accidents often leaves drivers injured. Whether you're stuck in hospital for weeks or at home but unable to work, our caring attorneys can help. A few of the most common injuries car accident victims face include:

### Traumatic Brain Injuries (TBI)

Some individuals mistakenly believe that skull fractures are the cause of traumatic brain injuries (TBIs). Any type of vigorous shaking can cause the brain to jiggle, which changes how the brain processes messages and the brain's chemistry.

#### **A few of the issues TBI victims experience include:**

- Headaches
- Loss of balance
- Confusion
- Sensitivity to noise or light
- Loss of coordination
- Impaired memory
- Problems with speech
- Convulsions.



Those suffering from TBIs generally need rehabilitation in order to learn how to function properly - this includes learning to speak or walk again. A mild concussion might not be sufficient to claim damages as you can probably get rid of this in a few months with painkillers and rest.

### **Soft-tissue Injuries**

These are the most common injuries. Soft tissue includes your tendons, nerves, and ligaments. One of the most common soft-tissue car accident injuries is whiplash. This happens when the victim's head is pushed forward and snaps back in a whip-like motion.

This jarring motion can suffocate nerves and tear ligaments in the individual's neck. Headaches, nausea, and stiffness in the neck can follow and linger for months after the accident.

Soft-tissue injuries should be treated with rest, ice, and elevation of the injured area of the body. Although wearing a compression garment can be beneficial, some doctors advise massaging the affected area to encourage movement.

Massage is a great way to deal with whiplash. It's crucial not to immobilize the neck for extended periods of time. Therefore, constantly wearing a stiff foam collar is not a good idea.

### **Fractures**

Any bone in the body, including the big toe and the skull, can break in a high-speed car crash. Before placing the injured limb in a cast, a doctor needs to set the bone in order for it to recover. In some circumstances, a bolt, screw, pin, or plate may need to be inserted surgically.

Bones should heal eventually; however, difficulties may arise. Bones that are not properly set may also heal in an uncomfortable manner.

### **Crush Injuries**

Heavy objects often damage the nerves and bones; however, crush injuries often result in more severe problems. Damage to the skeletal muscles often causes

these muscles to break down rapidly. As a result, harmful chemicals are released into the bloodstream which can lead to a coma, shock, or damage to the kidneys.

Compartment syndrome is another type of crush injury that results in swelling between the compartment between your muscles. This puts added pressure on the nerves and muscles which, if not released, can cause nerve damage and necrosis.

## Emotional Injuries

Emotional injuries form a major part of car accident claims.

**After a catastrophic crash, many victims experience the following emotional injuries:**

- Anxiety
- Depression
- Post-traumatic stress disorder (PTSD)
- Mood swings
- Anger
- Phobias
- Fear
- Grief
- Irritability
- Embarrassment.

Emotional trauma typically shows up as physically debilitating symptoms such as weight loss, insomnia, and high blood pressure. Therefore, many victims experience a downward spiral in which it becomes more difficult for them to recover from their physical injuries due to their emotional traumas.

Each person receives a different course of treatment. While some patients benefit from psychotherapy, others need medication to treat their anxiety, depression, and insomnia. Fully recovering from emotional injuries is a long and challenging

process. If you're also dealing with physical injuries, this could be an even more difficult time.

## What Is the Average Settlement Amount for a California Car Accident?

Those involved in car accidents often have exorbitant medical bills. Furthermore, many victims often have to spend time recovering in hospital or at home, meaning they can't go back to work. Car accident victims need compensation in order to help them recover from their serious injuries and other unexpected expenses.

While money isn't everything, it will help you take care of the loss of income from not working and unexpected medical expenses, and will make the recovery process slightly easier. It also holds the at-fault party responsible for their reckless or negligent behavior.

Unfortunately, there is no "average" settlement amount. This will depend on the unique factors of your personal injury claim. A skilled car accident lawyer from Ehline Law Firm can help you determine the value of your claim.

## Factors that Impact the Settlement Amount

Car accident settlements are there to ensure that you get the justice you deserve.

**Therefore, victims often receive compensation for the following:**

### Lost Wages

If your injuries keep you from working, your income will drop drastically. This is one of the most common forms of damages.

### Medical Bills

If you experienced serious injuries as a result of the car crash, you will have to go to the doctor. You might also need prescription medication, a wheelchair, or crutches. Victims can also claim damages for rehabilitation, surgery, counseling, and hospital stays.

## Property Damage

If you've been in an auto accident, your car is probably damaged. Fortunately, you can receive compensation to repair or replace it. You can determine the magnitude of your financial damages with the assistance of a personal injury attorney. Gather supporting documentation such as medical bills, repair estimates, and receipts to help prove your case.

## Pain and Suffering

### **A few of the damages you can claim under this term include:**

- Physical pain
- Inconvenience
- Disability
- Mental anguish
- Loss of enjoyment of life
- Disfigurement

While these losses are more challenging to calculate, personal injury lawyers have the necessary skills and experience to determine a fair and reasonable amount.

## Can You Receive Compensation for Pain and Suffering?

Yes, you can. Under California law, car accident victims may be compensated for non-economic damages. However, the difference between economic and non-economic damages is the level of certainty when it comes to calculating compensation. Determining the value of non-economic is much more challenging. This is because pain and suffering involves intangible losses.

**While we've mentioned them above, let's go into more detail about what this entails:**

## Mental Pain

**A few of the negative emotions people experience after car accidents include:**

- Anxiety
- Depression
- Anger
- Fear
- Grief
- Irritability
- Embarrassment.

Some victims may even develop post-traumatic stress disorder, in which they repeatedly relive the disturbing event. People who have PTSD run the risk of getting other health conditions, such as weight loss and insomnia. Furthermore, some people need treatment, counseling, and prescription medication to treat mental distress.

All of the money you spend on medical care, including mental health care, is eligible for compensation. However, regardless of how much money you actually spend, you may also get compensated for simply experiencing the negative emotions associated with being in an auto accident.

Let's look at an example - even if you've only spent \$300 on anxiety medication, the jury might decide that the anxiety you suffered is worth \$30,000. Therefore, you'll receive \$30,000 in compensation for anxiety.

## Physical Pain

Whether you've suffered whiplash, nerve damage, broken bones, or traumatic brain injuries, you could be in excruciating pain. These types of injuries are

generally much more severe than the average injury that can be cured with a few painkillers and a few days of rest.

In the worst-case scenario, these injuries can lead to permanent disability or chronic pain. Therefore, you deserve to receive compensation for going through this.

## **Disfigurement**

Disfigurement is a serious injury. Many people would be extremely upset if they sustained visible wounds to their bodies. How would you feel if you had burns or scarring all across your face? This would completely destroy most people's sense of self-worth.

### **Losing a limb could be even worse!**

While you can deal with certain types of disfigurement by getting reconstructive surgery, this is often extremely expensive. Fortunately, the costs associated with surgery would be considered an economic loss. The disfigurement compensation, which falls under pain and suffering, covers intangible damages related to having your body damaged in a car accident.

## **Loss of Enjoyment of Life**

Many physical ailments make it difficult for someone to have fun; for instance, would your favorite pastimes still be enjoyable if you were paralyzed? Could you play sports or do other physical activities with your kids or loved ones? No, probably not.

Even those who sustained relatively minor wounds such as sprains, strains, or fractures might experience a temporary decline in their quality of life. You deserve compensation for your diminished quality of life! While you can't exactly put a sum of money on these lost memories, your lawyer will fight so that you at least get fair compensation.

## Disability

Disabilities affect a person's potential to earn income. Whether you're still able to work or not, disabilities are a major loss. Not being able to perform to your full capabilities, both mentally and physically, can have a significant impact on your life. Therefore, you deserve to receive compensation for it.

In general, the more serious the disability, the higher the compensation - for example, if you suffered a spinal cord injury, you would receive a higher compensation than someone who has a slipped disc and is only temporarily disabled. However, even if you have a temporary disability, you are eligible for compensation. Never assume that you're not!

## Is California a No-fault State?

No, California is not a no-fault state. It is a fault state. Therefore, it's crucial to determine who is responsible for the auto accident. Why? This is because the person responsible for the car accident has to pay compensation to the victim/s.

## Fault vs. No-fault States



There are a few key differences between fault and no-fault states. While there's no saying which system is better, you need to be aware of how the different systems work if you want to be compensated for your car accident.

In no-fault states, drivers need to buy personal injury protection (PIP) benefits as

part of their insurance plans. If the driver is involved in an auto accident, they can contact their PIP insurance company to receive payment for lost wages, medical expenses, etc.

However, in fault states, such as California, the injured driver will file an insurance claim with the at-fault party's insurance company.

## Proving Fault

Clearly, proving fault is important in California. If you were responsible for the auto accident, neither your nor the other driver's insurance company will pay for your damages.

**This is exactly why you need to gather enough evidence to prove that the other driver is to blame. Important evidence that insurance companies often look for include:**

- A police report written by the responding officer
- Witnesses in the vehicles involved or who saw the accident take place
- Medical records that may indicate how the car was hit
- The accident scene - this might showcase vital evidence, such as unsafe road conditions or overgrown tree branches.

No matter how badly injured you are, you might not be compensated if the insurance company believes you are wholly to blame for the crash.

An auto accident lawyer can gather evidence on your behalf and submit it to the insurance provider to support your claim for benefits.

## Comparative Fault

People often contribute to their own auto accidents by being reckless, negligent, or careless. California personal injury law defines this as "contributory negligence." In the past, any accident victim who was even just 1% to blame for their own accident was prohibited from suing for damages.



Fortunately, the law has changed. People may now file a car accident case even if they were 99% to blame for the crash. As long as the other party was 1% to blame, you're good to go!

## Was the Accident Your Fault?

When filing a personal injury claim, you need to consider your relative degree of fault. You simply can't expect to recover the maximum compensation for your injuries if your careless or reckless behavior contributed to the auto accident. Rather, you'll receive an amount adjusted for your percentage of fault. Therefore, if you were 20% to blame for the car accident, you would only receive 80% of what your injuries are worth.

## What to Do After a Car Accident?

**While you're probably in a state of shock after a car accident, you need to try to follow these steps to increase your chances of receiving compensation and protect your health:**

### Call 911

Call 911! This is crucial especially if someone is injured or if there is property damage. The emergency responders will start treating victims at the accident scene while the police start compiling an accident report.

### Get Medical Attention

If you want to strengthen your claim, you need to get medical attention regardless of how serious or minor your injuries are. This will be valuable evidence when determining the worth of your claim. Apart from that, injuries that seem minor, such as stiffness, soft-tissue injuries, or internal injuries, may later develop into something more serious if you don't have them examined.

## Don't Admit Fault

Never apologize or admit fault - not to the other driver, police, or witnesses! Nobody! One simple word can ruin your chances of receiving compensation. We understand that this is a confusing time, and while it's okay to express your concern, you need to protect yourself.

## Take Pictures and Gather Information

We've all heard that a picture is worth a thousand words. Therefore, it's vital to take pictures of your car, the accident scene, the other driver's vehicle, and any surrounding factors that could've contributed to the collision. This can help you when pursuing your claim. It's also important to get the name, license plate numbers, contact details, and insurance policy numbers of the other drivers involved in the car accident.

If you've spoken to any witnesses, get their contact information as well. This will help your personal injury lawyer when trying to negotiate on your behalf.

## Write Down Everything You Can Remember

While this might be quite difficult, you need to write down everything you can remember from the car accident. The more you can recall, the better your chances of receiving sufficient compensation.

## Don't Speak to the Insurance Company

The worst thing you could possibly do is speak to an insurance agent after the accident. All they're trying to do is pressure you into signing a settlement agreement contract. Therefore, the best thing to do is not answer the phone and not sign anything. If you sign a settlement agreement, you will ruin your chances of obtaining maximum compensation for the accident.

## Keep Copies of Receipts and Records

Evidence is everything. Therefore, you need to keep copies of all the receipts for accident-related expenses. You'll be able to recover a higher amount if you have the costs of medical treatment, medication, documentation, car repair costs, rental vehicles, transport to and from the hospital, etc.

## Contact an Auto Accident Attorney

While all of this may seem overwhelming, contacting a California car accident lawyer will make the process much simpler. They'll be able to take care of all this for you and prevent you from making crucial mistakes.

## Hiring a California Car Accident Lawyer

After a car accident, many people attempt to manage their own insurance claims. Many people are shocked to learn that they need legal assistance because they are in over their heads. When to retain legal counsel is a confusing question for most people, and unfortunately, there's no exact answer either.

While some people would benefit from hiring a car accident lawyer immediately, others can undertake some of the initial tasks themselves. A car accident attorney can help you navigate the following stages in a car insurance claim:

### Investigating the Accident

Because California is a "fault" state, the individual who caused the collision and injuries is responsible for paying the victims' compensation. You cannot file a claim with your own insurer or with the insurance provider of another driver if you caused the accident. However, if another party struck you, you can make a claim

against their insurance company.

Without a car accident attorney, you will have to investigate and try to gather this evidence by yourself. Of course, some incidents have clear-cut cases of fault. If you're lucky, the other driver will admit fault. However, if fault is disputed, you must present as much proof as you can to indicate the other driver is responsible. If you can't prove this, you won't receive compensation.

We want our clients to focus on the healing and recovery process. Therefore, by hiring us, victims relieve themselves of a burden and have the assurance that someone is putting together the best case for them.

## Negotiating with the Insurance Company

Accident victims occasionally don't need to negotiate. The insurer will easily agree to compensate you for your costs if the damage is simply a few thousand dollars. However, in our experience, an insurance company is more likely to refuse to instantly agree to your claim if you're demanding more money.

Generally, the insurer will make a counteroffer. Counteroffers are often quite low. We don't encourage you to accept it. Rather, you should start the negotiation process so that you can increase the settlement offer they're willing to pay out. How on earth are you supposed to go about doing this? Well, the trained experts at Ehline Law Firm know exactly what it takes to go head-on with a difficult insurance company. We know just the right tactics to use to ensure justice is served.

### Filing a Car Accident Case if there Are Unsuccessful Negotiations

Unfortunately, the negotiation process isn't always successful. If this is the case, you need to file a car accident claim. Not many people can handle car accident cases themselves. Trials are complicated, long, and often take a mental toll on the plaintiff. This is exactly why you need a car accident attorney to help. You will either have to file a claim with the small claims court or the civil court. If you're looking for more than \$10,000 in damages, you'll need to go to the civil court.

Contact a California Car Accident Attorney Today!

Are you trying to get the compensation you deserve after being involved in a car accident? You need strong and effective legal representation! If you've been involved in a car accident, don't try to deal with insurance adjusters by yourself. They will try to get you to settle for less than you deserve.

You have rights, and we're here to make sure your rights are protected! Don't let a stringy insurance company tell you how much your claim is worth! Contact the compassionate and experienced car accident attorneys at Ehline Law Firm at 833 LETS-SUE for a free consultation to learn more. Be on the lookout for more cool e-books from attorney Michael Ehline.

Michael Ehline can be reached at Ehline Law Firm Personal Injury Attorneys, APLC 633 W 5th Street #2890 Los Angeles, CA 90071 (213) 596-9642

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