When Should You Hire an Attorney After an Accident?

Related Practices

Personal Injury

- Car Accident
- Charleston Spinal Cord Injury Lawyer
- Charleston Traumatic Brain Injury Attorneys
- E-Cigarette and Vape Explosion
- Motorcycle Accident
- Premises Liability (Slip and Fall, Dog Bites, Dangerous Activities)
- Product Liability, Breach of Warranty, and Strict Liability
- Wrongful Death

Related Attorneys

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By Mary Harriet Moore on June 16, 2025

When you are injured, timing is everything when it comes to hiring an attorney. Whether you've been in a car wreck, slipped and fallen in a store, or were injured at work, understanding when to seek legal counsel can significantly impact both your physical recovery and financial compensation.

Why Does Timing Matter?

Evidence Preservation

The immediate aftermath of an injury presents a narrow window during which crucial evidence remains intact. Every hour that passes increases the risk of losing proof that could make or break your case.

Skid marks on the road fade within days due to weather and traffic. Witnesses' memories blur and details become confused or forgotten. Surveillance footage is routinely overwritten on 30-day cycles, and sometimes even sooner.

Without taking almost immediate action, the evidence that could prove your case may vanish. An experienced personal injury attorney will know what evidence to look for and the best way to preserve it. Some examples of evidence preservation include:

- **Send preservation letters** to businesses, property owners, opposing parties, witnesses, and insurance companies, creating a legal obligation to preserve evidence.
- **Conduct comprehensive scene documentation** including measurements, photographs from multiple angles, and detailed notes about lighting, weather, and road conditions.
- **Interview witnesses systematically** while their recollections are sharp and before they become difficult to locate.
- **Obtain and analyze police reports** for accuracy and completeness, identifying details of the incident and potential witnesses.
- **Secure video footage** from traffic cameras, business security systems, and nearby properties before automatic deletion occurs.
- **Coordinate with accident reconstruction experts** who can document tire marks, debris patterns, and other physical evidence.

Collecting and preserving evidence helps your personal injury attorney build the foundation of your case. When you've been injured, the other side and their insurance companies will hope you fail to take the steps necessary to preserve crucial evidence that can help you win your case.

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Protection from Insurance Companies

Insurance adjusters often contact injured parties within days, sometimes even hours, after an incident. While they may sound sympathetic and helpful, their goal is to settle your case quickly and minimize their financial exposure, not to ensure you receive fair compensation.

These adjusters are trained professionals who know exactly what questions to ask and how to interpret your answers in ways that benefit their client and company. Without legal counsel protecting your interests, you might inadvertently:

- **Make recorded statements that harm your case** – Adjusters will ask seemingly innocent questions like "How are you feeling?" If you say "fine" while still in shock or before injuries fully manifest, they could use that statement against you later.
- **Accept a settlement far below what your case is worth** – Initial offers are typically a fraction of the true case value, designed to exploit your immediate financial stress and lack of legal knowledge.
- **Fail to include compensation for future medical needs** – You may not yet understand the full extent of your injuries or the long-term treatment that you will require.
- **Sign away rights you don't fully understand** – Release forms often contain complex legal language that permanently bars you from seeking additional compensation, even if complications arise later.
- **Provide information without understanding its implications** – Details about your work schedule, hobbies, or medical history can be twisted to minimize your claim.

A personal injury attorney handles all communications with insurance companies while you focus on recovering from your injuries. Personal injury attorneys understand the tactics insurance adjusters use and know how to protect your rights.

Compliance with Legal Deadlines

South Carolina law imposes strict deadlines for personal injury claims. The statute of limitations for most personal injury cases is three years, so it's crucial to hire an attorney as soon as possible. If your claim is against a government entity, the statute of limitations to bring your claim is just two years. These cases can take time between extensive investigations, medical documentation, and expert analysis, it's important to have a personal injury attorney working on your case almost immediately.

These deadlines are critical and if you miss these deadlines, you may be barred from bringing your case regardless of the severity of your injuries.

Charleston Personal Injury Attorneys

At Rosen Hagood, our experienced South Carolina personal injury team has extensive experience representing clients with a number of injuries. From slip and falls to traumatic brain injuries caused by truck or car wrecks, our team is equipped to help you navigate your case from start to finish.

We work on a contingency basis, which means you will not pay for representation unless you

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win, and we offer free consultations with our attorneys. Call or message our office today to schedule your consultation.

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