

WHAT IS A “PERSONAL INJURY” CASE ANYWAY?

People hear all kinds phrases related to accidents, lawyers and lawsuits, most of which appear in confusing, cheesy lawyer ads on TV and in the Yellow Pages. You know the ones:

- “Cash for your claim!!”
- “Millions recovered!!”
- “We’ll Fight for You!!!”
- “No Recovery, No Fee!!”
- “We’re Tougher Than Junk Yard Dogs!!”
- “We’ll Fight to the Finish!!”

Some of these same cheesy ads refer to the lawyers handling accident cases as “Accident Lawyers,” “Car Crash Attorneys,” “Truck Accident Specialists,” “Negligence Attorneys,” “Trial Attorneys,” and lots of other variations on these phrases. But think about it. Some of these ads may get your attention (especially when combined with full-page graphics and photos), but do they really tell you anything about the **qualifications** of these lawyers to handle **your** motorcycle accident case?

Of course not. So let’s start with the basics.

Just exactly what is a “personal injury” case anyway?

In the world of trial law, a “personal injury” claim is a broad term that applies to any kind of motor vehicle, bicycle or even pedestrian accident where someone sustained actual physical injuries as a result of someone else’s carelessness, or, legally speaking, someone else’s “negligence.”¹ Whether the vehicles involved were motorcycles, cars, tractor trailers, pickup trucks, commercial trucks, or even bicycles, if a collision caused by someone’s negligence resulted in someone else getting hurt, it’s a “personal injury” claim.

Now if someone hits your car or and it’s their fault, but you escaped injury, you might have a “property damage” claim, but not a “personal injury” claim because you did not incur any medical injuries. But since this book focuses on motorcycles, and we know the chances are that if you were hurt in a bad wreck involving your bike and another vehicles of any kind, you probably have a claim that includes *both* personal injury *and* property damage components.

What about the different kinds of lawyers advertising? Is there really a difference between an “accident lawyer” and a “personal injury” lawyer? Generally, no. Most

¹ Note here that people injured be negligent doctors generally require the services of attorneys specializing in “medical malpractice.” Most often, the “term “personal injury” refers to injuries resulting from vehicular accidents of some type, not medical malpractice.

lawyers who advertise themselves as handling “personal injury” cases will handle any type of accident case, whether it involves a car, truck, motorcycle or bicycle. I handle all four, and many other qualified personal injury lawyers do as well.