

BOATING ACCIDENT VICTIM CHECK LIST

1. Do I have a good case?

ANSWERS: This depends on whether you have acted timely to the following:

- A. Get witness contact information.
- B. Find out if a written accident report was made by law enforcement
- C. Get health care early for serious injuries.
- D. Get a doctor to medically excuse you from work if need be.
- E. Find out if the offending boat owner is insured for accident liability.
- F. Find out if the boat you were in had medical payments (Med-Pay) insurance.

2. What must be done now to make the case a strong one?

ANSWERS:

- A. Take or get photographs or video of the boats and injuries.
- B. Avoid giving recorded statements to the other side's insurer.
- C. Stop posting about your physical activities on social media.
- D. Avoid long breaks in between health care treatment.
- E. If your doctor is not effective, insist on seeing a new doctor.
- F. Get a small notebook and write your pain scale each day for each injury.
- G. If you pay for someone to do what you now cannot, get receipts.

3. Can a spouse or other family member make a claim?

ANSWERS:

- A. Any close relative who saw your accident has a potential claim.
- B. Spouses can make a claim even if they did not see the accident.

4. What must be done to preserve evidence?

ANSWERS:

- A. Back up storage of emails, texts, images.
- B. Get a small notebook and write your pain scale each day for each injury.
- C. Get your health care billing from your doctors.

5. How do I prove my case?

ANSWERS:

- A. Be sure you or your attorney has evidence showing the other person was at fault.
- B. Be sure you or your attorney has evidence showing the nature and extent of your personal injuries.
- C. Be sure you or your attorney has evidence showing how much was paid for health care in the past and the cost of what care you probably will need in the future, if any.
- d. Be sure you or your attorney has evidence showing how much you lost in earnings and benefits in the past and the probable amount of future losses, if any.