

How do Personal Injury Claims and Accident Claims work?*

All claims for a Personal Injury after an accidents in Ireland, but not medical negligence claims, are submitted to the Personal Injuries Assessment Board (PIAB). PIAB will assess your circumstances. You will have to submit to PIAB the PIAB Form which is an application for assessment. We will prepare this for you. This includes details of your injuries which will include a GP or specialist medical assessment. There will need to be a full medical analysis and assessment before you go to court.

We have to be very honest to you. You do not need to use a Solicitor to bring a claim to PIAB. Saying this it is always better that you do have a Solicitor who is a specialist in personal injury claims and accident claims. You may ask why? The reason is that even a minor error in the filing of the application with PIAB after a personal injury caused by accident could invalidate your personal injury claim. This can be as simple as the wrong name of the person or persons who caused the accident. Even the address if wrong could delay your claim not by weeks but by months.

The statute of limitations has a time limit of two years from the date of the accident to lodge the form with PIAB. There is an exception for minors being those under the age of eighteen years where that limit does not start applying until they reach that age. However, any delay can be very costly for you.

It does not need to be a serious injury to have us as your personal injury solicitors help you with the application to PIAB.

It can take many months before PIAB issue their assessment. You will have to attend medical appointments. These may be medical appointments arranged by us. There will be at least one medical appointment arranged by PIAB.

Where an assessment issues from PIAB then we will be there to advise you as to whether the assessment value is good and should be accepted or is bad and should be rejected. If the PIAB assessment is rejected by you or by the other side or their insurers then it is a matter where Court proceedings must issue. That does not mean that

the case will automatically go to Court. Many cases are ones which at a later stage we, acting on your behalf, are able to arrange a settlement with the insurance company on your behalf.

Because it can take a long time, sometimes, for a case to be finished though we will always seek to have your case dealt with as quickly as possible we always make sure that we get statements from any witnesses to the accident. The reason for this is because of the time it sometimes takes and people will forget small but very important matters which if we have met them and taken a detailed statement from them will make sure that we have a record of what they told us.

If you have Solicitors like us who are specialist Personal Injury Solicitors dealing with personal injury and accident claims then we are in a position to make sure that your case is put forward on the very best basis with all the evidence available to support your claim being available if the case ever has to go to Court.

Not every injury results in a personal injury claim being able to be made. To bring a personal injury claim you must be able to show that the personal injury and the accident was caused by the negligence or breach of duty of another person which in legal talk is called a third party.

A personal injury is not just a physical injury. It can be a psychological injury. If for example you break your arm after falling on a wet floor in a shop then you would have suffered a physical personal injury. On the other hand, if you were a witness to, for example to, a bank robbery where you may not have suffered any physical injury but the effect of same is such that you suffer trauma and stress then that may be described as a psychological personal injury. Sometimes a physical injury will itself cause a psychological injury.

We are often asked how long will a personal injury claim take when a person is making a claim for injuries caused in an accident.

We have to be honest. It is almost impossible to predict at the start just how long a personal injury claim will take to finish. Some will finish very quickly. However, if you have ongoing symptoms which need medical assistance going forward or the symptoms are continuing then until we receive a final prognosis from your doctor, we will not be in a position to advise you to accept or enter into negotiations to get your case settled. In some cases, until we can be

certain what the likely duration of any injury is and its effect on you going forward it would be wrong of us to bring that case to Court too early.

In personal injury and accident claims it is important for us as Personal Injury and Accident Claims Solicitors that we explain the full process to you but at the same time make sure that we act as quickly as is possible but at all times taking into account your medical condition so as to make sure that you will receive the right settlement or Court award on the basis of the injuries you have sustained.

If you have been involved in an accident causing a personal injury, we can be contacted at 01-9695781 or you can email us on info@grogansolicitors.ie and we will arrange a consultation for you to come in to talk to us about your case. We will then work out with you if you have a good case. If you have a good case we will be the first to tell you. Equally if you do not have a good case we will equally tell you. Rather than coming into see us we can arrange to talk to you by Zoom or Microsoft Teams if that suits you better.

***Before acting or refraining from acting on anything in this guide legal advice should always be sought from a solicitor.**

***In contentious cases a solicitor may not charge fees or expenses as a proportion or percentage of any award or settlement.**