



VENTURA
PEDESTRIAN
ACCIDENT
GUIDE

ATTORNEY CRAIG MURPHY



You might not even think twice about having to walk to the store to grab something last-minute for dinner. That is until your life is forever changed when a car slams into you while you're crossing an intersection. It sounds awful because it is. It is unimaginable pain and fear that you have to go through because of someone else's lack of attention. You may be permanently injured all because someone wanted to send a text while they drove and ran through a red light.

Seeking emergency medical attention in a pedestrian accident is almost always needed. Rarely will you have someone walk away from an accident of this nature. Your top priority following your accident should be to get as healthy as possible. Maybe that means healing from your injuries and eventually returning to work. For the less fortunate, it might mean learning how to live with a permanent disability and never being able to work again.

Ventura pedestrian accident attorney Craig Murphy is here to guide you through the legal process and take the burden of dealing with the insurance companies off of your shoulders so that you can make healing your main focus. It is a very tough thing to have to go through and we want to protect your rights and make sure that you get every bit of compensation that you deserve. No one should have to suffer like this because of someone else's negligence and we want to make sure you are taken care of. Give us a call as soon as possible to get a free consultation. We will even meet you in the hospital if you are unable to leave.

COMMON TYPES OF PEDESTRIAN ACCIDENT INJURIES

You're going to hear from insurance companies that they're very sorry you are so seriously injured, but you walked in front of that car and they are not

going to pay you for your injuries because of that. They may even attempt to obtain a statement from you while you are in the hospital, on pain medications and unable to think clearly. They want to get rid of the responsibility for this accident, so they don't have to give you anything.

This is especially devastating when you are suffering from serious injury. The injuries sustained from these injuries can take months to heal, and in some cases, you never heal. You do not want to give that statement to the insurance companies or you might not be able to get compensation for any of your injuries that could possibly affect you for the rest of your life.

Common pedestrian accident injuries include:

- » Broken bones
- » Spinal cord injury
- » Paralysis
- » Traumatic brain injury
- » Internal organ damage
- » Death

If you have lost a loved one in a pedestrian accident, you can file for wrongful death to get compensation because that person no longer can provide for your family both financially and emotionally. Because of this loss, you are missing out on the love and support you would have gotten had that person survived.

TOURISTS INJURED IN A PEDESTRIAN ACCIDENT

In Ventura, because we are a beautiful beach town in Southern California, we see a lot of tourists who walk around the city taking in the nice weather and scenery, or rely on walking as their way around. Most of the pedestrian accidents surprisingly happen in marked crosswalks where tourists are meant to

be walking rather than the J walkers around town. Tourists who are injured in a pedestrian accident can call on a Ventura attorney to represent them and get the compensation that they deserve.

The insurance lawyers will try to tell you that you were a distracted tourist, you didn't pay attention to the road because you're unfamiliar with the area and that's why you got hit. They will try everything to get this accident out of their hands. They don't want to pay you for your injuries that have potentially changed your body forever. They want to blame this all on your inability to look both ways before crossing the street, even if the driver didn't check for you before zipping around the corner.

ADVICE FROM A PEDESTRIAN ACCIDENT ATTORNEY

Following your accident, if you are physically able to, gather contact information from witnesses who can potentially vouch for you in this event. If you are too injured to do anything of this sort, have the authorities take over and gather this information for you. Their statements can mean all the difference in the world when it comes to proving that the driver was negligent and at fault for your accident, resulting in your serious injuries.

Immediately following the collision, assuming you did not lose consciousness, get yourself checked out by a doctor. This might be at the emergency room, or quick care center, or later on by your family doctor if you do not have life-threatening injuries. Make sure you tell them everything that is bothering you so that they have it all on record. This can be used later to make sure you get compensation for every possible way this accident has affected you.



If you are still in pain, continue your medical treatment. Your health is a priority and you should not suffer because you don't want to pay the co-pays or deal with waiting rooms anymore. Discontinuing medical treatment not only does not help you get better, but it does not help with your injury case.

Lastly, you should make a call to an experienced and certified Ventura personal injury attorney as soon as possible. The quicker you get someone on the case, the more evidence and information they can gather on your behalf. With most personal injury attorneys, you usually have two years to bring a case, but that does not mean that you will want to wait those two years out. There is much to do immediately following the case and waiting lessens your ability to gather information and evidence that could potentially strengthen your case.

If you want an attorney who will safeguard you every step of the way of this case, please call our Ventura office today to get a free consultation. Let's talk. Really, you and me. Call today for a free one-on-one consultation.

FREQUENTLY ASKED VENTURA PEDESTRIAN ACCIDENT QUESTIONS

What Should I Know About Pedestrian Accident Claims?

Here in California, pedestrian claims often differ from regular car wreck claims in several ways. The first way is that the insurance company is always going to blame you and say that you were at fault. If they don't say it was your fault, they will say you were partially at fault. They will do whatever they can to avoid responsibility. With car crash cases, you know when someone ran a red light, or rear-ended somebody, or they ran a stop light. With a pedestrian, because it isn't as clear, they can always try and place the blame on you.

It is very critical in these types of cases that you get legal representation right away because it's very important to go out and get witness statements, perhaps take measurements of skid marks, and other evidence that there is along the roadway.



What Am I Entitled to After a Pedestrian Accident?

Oftentimes when a pedestrian is hit by a car, the injuries are very significant and very severe. You're entitled to all your medical expenses. You're entitled to any out of pocket expenses that you've paid. You're entitled for your pain, your suffering, your disability, your disfigurement, and any operations that you've had to go

through. If you have lost income or had to pay money out-of-pocket, you're entitled to that.

In addition, if your injuries are so significant that you are going to have injuries that go on into the future, whether it's pain, suffering, disability, disfigurement, or paralysis, you are entitled to damages for all of it. In addition, if you must have medical care in the future relating to your injuries, you are entitled to compensation for that. The injuries and damages in a pedestrian-car collision can be quite significant. You need an attorney who has handled these types of cases in the past.

How Do I Choose a Pedestrian Injury Attorney?

If you are a pedestrian and you've been hit by a car here in Ventura County, how can you find the best attorney for your case? You want to make sure that your rights are protected. One of the best ways that you can make sure that your rights are fully protected is to make sure that you get the best attorney for your case. The way that you do that is really two-fold. Number one, you have to make sure that the attorney has the required and appropriate experience. You need to ask every attorney that you talk to:

- » What is your track record?
- » How many of these cases have you handled?
- » What are your results?
- » How long have you been an attorney?
- » How many trials have you been in?
- » What is your history and track record with the insurance companies?

Then number two, you have to interview a number of attorneys. Call their offices. Find out if you can only talk to an intake person or the receptionist. If you're able to get through to an attorney, will that attorney spend the time necessary with you on the phone to answer all of your questions? Is that attorney really interested in you or do they just want you into the office, so they have another file?

Here's the bottom line. If you have been injured in a pedestrian-car accident here in Ventura, we will spend the time necessary to answer all of your questions. When you get done evaluating all of the attorneys that you've spoken to, ask yourself who do I really think has my best interest at heart? Who is going to give me the time that I require? Who's going to give me the service that I want?



What If I'm Injured in a Hit and Run?

What if you're a pedestrian, and you were hit by a car, and that car takes off? It's a hit and run. What can you do? It's critical in that type of hit and run situation that you contact an attorney right away because that attorney needs to find out if there were any witnesses out there who can identify who hit you and took off. There may be witnesses that got the license number, or the make and model of the car, or can somehow identify who it was that did it. There may be businesses around that have security video cameras that are

running and may be able to identify that vehicle. If you don't act immediately, that evidence may be lost.

In addition, if you own a vehicle and you have uninsured/underinsured motorist coverage, you may be able to get compensation from your own insurance company.

What If I'm Partially at Fault?

What if you are a pedestrian, and you're hit by a car, and you realize that maybe some portion of the fault belongs to you for causing it? Oftentimes, insurance adjusters for the driver of the car will say it's completely your fault and you're not entitled to anything. That's not necessarily true under California law. The bottom line is this. If you were only partially at fault, and the driver was partially at fault, and you have very significant, very severe injuries, you are most likely entitled to compensation from that insurance company, but they will try to deny it.

The thing that you must do is call an attorney early on so that we can contact all of the witnesses, all of the parties, and anybody who's involved so that we can establish that there is some percentage of fault on the driver in addition to yours. It's critical that we get involved from the beginning early on so that evidence is not lost.

What is the Pedestrian Accident Settlement Timeline?

If a car hits you as a pedestrian in California and you're injured, you may be wondering how long it is going to take to resolve your case. It is something that really depends on several factors. Here is what we look at:

- » How badly were you hurt?
- » How long is it going to take you to get all your medical treatment before you get better?

- » What extent of your injuries are permanent?
- » What amount of medical care and treatment is going to be required in your future?

Depending on the extent and nature of your injuries, it could take anywhere from six months to a year or if a lawsuit is required it could take several years. You have two years under the statute of limitation to file your lawsuit and it may be a year or two after that before your case comes to trial and it's finally resolved. This is something that is dependent on the facts of every case. There is no cookie cutter answer where we can say, if you have a car-pedestrian accident, it's going to be over in 6 months. It really depends on the facts.



ABOUT THE AUTHOR

Craig has been licensed to practice law in California since 1990. From the beginning of his legal career in California, Craig has been a trial lawyer. He was in court the first day after being sworn in to practice law in California and has continually litigated court cases since that day.

Craig is a Board Certified Personal Injury Specialist by the State Bar of California and the California Justice Association. Craig has gone to trial and obtained jury verdicts in virtually all types of personal injury cases, including complex spinal cord injuries, car crashes, slip and falls, uninsured/underinsured first party practices, medical malpractice, and property owner liability.

Before devoting his career to exclusively representing injury victims, Craig represented doctors in medical malpractice cases, and major Ventura hotel/casinos in premises liability cases. He represented insureds on behalf of Allstate Insurance Company, Farmers Insurance Company, State Farm Insurance Company, Progressive Insurance Company, Geico Insurance Company, Hertz Rent-A-Car Company, and Avis Rent-A-Car Company. Craig has taken

his insider's knowledge and now exclusively represents seriously injured people and their families against the major insurance companies and corporations who are responsible for his clients' injuries.

Craig was born and raised in Lima, Ohio. He earned a Bachelor of Science degree in communication at Ohio University. Craig attended law school at Ohio Northern University where he was awarded Dean's scholarship. During law school, Craig earned a number of American Jurisprudence awards for academic excellence. He earned the student-attorney of the year award during his third year of law school as a practicing student lawyer. Craig was an editor of the law review and graduated with distinction. Due to his academic achievements, Craig was admitted into the honorary Willis Society at Ohio Northern University.

Craig is committed to his family, church, and the legal community. Craig has been a church Elder and volunteers as a Sunday school teacher. He is a member of the prestigious Million Dollar Advocates Forum, an honor bestowed on less than 1% of all attorneys. The American Trial Lawyers Association has named him as one of the top 100 trial lawyers in California. Other lawyers recognize Craig as a leader in the legal community and elected him to serve as one of the Board of Governors of the California Trial Lawyers Association and the California Justice Association. He served as a Judge Pro-Tem for the Eighth Judicial District Court short trial program and as a District Court appointed arbitrator.

Craig's practice is dedicated to the protection of injury victims and their families. He prides himself on the level of personal service that he gives to his clients. Craig is committed to pursuing justice one case at a time. If a full and fair settlement cannot be obtained, Craig has the experience, skill, and conviction of character to take his clients' cases to trial.

