

Legal Rights: When Seeking Damages in a DUI Accident?



When you're involved in a DUI accident, the last thing on your mind is how much it will cost you. However, you may be eligible for monetary damages if you're injured or feel that another driver caused your accident.

If someone is hurt or killed due to an impaired driver's actions, they can file a wrongful death claim against the at-fault driver's insurance company. But what are these damages exactly? How do they work? And when should someone pursue them? Your questions will be answered in this article, plus many more.

DUI Accident Compensation

You may be entitled to compensation for damages, injuries, and pain and suffering.

- Compensation for the damage caused by your accident. If you were hit by a drunk driver, you could claim damages from them. This covers any costs related to repairing or replacing your car; if it was damaged beyond repair, you could also claim compensation for its market worth before the accident.

- Compensation for any physical injuries sustained during the incident. The amount given will depend on their severity. Still, it might include money for treatment and missed income if the injury caused them to miss work.
- If you can prove that your injuries have caused you financial difficulties and adversely impacted your quality of life, compensation may be awarded for this too.
- Compensation for [emotional distress](#) suffered as a result of the accident. You may be entitled to claim compensation for psychological treatment and missed pay if your anxiety or stress forced you to miss work.

Legal Rights in DUI Accidents

If you have been injured in a DUI accident, it is essential to know your legal rights.

- Contact an accident attorney as soon as possible after the accident, so they can help guide you through the process.
- File a claim for damages with your insurance company if applicable. Expenses for lost pay and medical care may be included. If necessary, the law firm (lawyer) can help with this step by filing on behalf of their clients who have been [hit by a drunk driver](#) or other types of car accidents. A lawyer can also help to ensure that your legal rights are protected, and all avenues of possible recovery are explored.
- If property damage was involved in addition to personal injury claims made by those hurt or killed in these collisions, then those parties should file separate lawsuits. This could include vehicle owners who were drinking while driving and anyone else who may have contributed towards causing harm by drunk driving habits.

Seeking Damages in DUI Accidents

You have a right to seek damages in a DUI accident. After all, you were not at fault and your life has been disrupted. You should:

- Contact your insurance company immediately. They will help you claim your vehicle damage and medical bills.
- Gather as much information about the other driver as possible, including the name and address, license plate number (if possible), phone number(s), and insurance information (policy number). If there are witnesses, ask for their contact information, so an attorney can contact them.
- Take photographs of the accident scene, your vehicle, and any damage caused by the other driver. This will help demonstrate what happened and why you need damages in a DUI accident case.

Drunk Driving Accident Lawsuits

A drunk driving accident lawsuit is a civil action that allows victims of drunk driving accidents to recover compensation for their losses. They may consist of money spent on treatment, money lost from not working, and money awarded for emotional trauma.

To pursue this type of legal action, you must have been injured in an accident caused by a drunk driver. You can also be eligible if the other driver was under the influence of drugs or alcohol or if they were not properly licensed to drive. If you have been injured in an accident caused by a drunk driver, you may be able to file a claim against them for damages or on behalf of your loved ones who have been injured as well.

DUI Accident Injury Claims

First, it is crucial to understand that there are two types of damages when considering personal injury claims:

- **Compensatory.** Compensatory damages compensate the injured party for their losses. The cost of medical care and lost wages due to time off work due to injury.
- **Punitive.** [Punitive damages](#) are awarded when an individual acts with malice. It serves as punishment against those who commit intentional acts against others. These awards may be larger than those given out under normal circumstances because they are both compensation and discipline at once.

Each state has its laws regarding how much money should be awarded during litigation involving personal injury lawsuits such as drunk driving accidents. It also depends on whether speeding or bad weather contributed, which could affect how much money is paid out after a successful claim!

DUI Accident Settlement Process

Settling a DUI car accident lawsuit is the same as any other personal injury claim. The first step is to determine whether you have a viable case, which means proving that:

- When the collision occurred, the driver was under the influence.
- Their intoxication caused your injuries or wrongful death.
- You suffered financial loss because of their negligence.

If these things are proved, you can recover damages from them through a settlement or trial in court.

DUI Accident Damages Recovery

If you have been injured in a DUI accident, you are entitled to compensation. The amount of money you receive will depend on the severity of your injuries and how much they affect your daily life. Other types of damages may be available in addition to compensation for medical bills caused by accident:

- **Economic Loss.** The price of purchasing new items to replace or fix damaged ones, such as clothing or car parts.
- **Pain and Suffering.** Physical pain and mental anguish caused by either physical injury or emotional distress resulting from witnessing loved ones injured/killed during an accident involving drunk drivers.
- **Emotional Distress.** Anxiety over potential future health problems directly relates to contact with drunk drivers (such as PTSD).

DUI Accident Liability

Determining liability in a DUI accident is based on the law. If you are found at fault, you will have to pay damages. If the other party is found at fault, they must pay damages. And suppose both parties are found at fault (which rarely happens). In that case, each individual will be responsible for the costs associated with the accident and any injuries sustained.

Legal Representation in DUI Accidents

If you are involved in a DUI accident, knowing your legal rights and options is vital. While many people choose to represent themselves in court, this can be risky if the other party has an attorney. An experienced attorney can help you navigate the legal process and maximize your compensation for damages.

Find an attorney specializing in DUI accidents. Consult with multiple DUI lawyers before deciding which attorney will best represent you during litigation and beyond. You want to ensure that they have experience representing victims of drunk driving accidents so that they know how best to pursue compensation on your behalf.

Bottom Line

Drunk driving accidents are tragic and also complex to navigate. We hope this article has given you the information you need to understand your legal rights and options when seeking damages for a DUI accident. Remember, if you or someone you know has been affected by a drunk driving incident, it's necessary to seek legal help to get the due compensation. With legal guidance, you can pursue justice and find closure following a DUI accident.

[Legal Rights: When Seeking Damages in a DUI Accident?](#)