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# Maximizing Your Bodily Injury Claim

Why Injury Victims That Hire A Lawyer  
Frequently Receive Larger Settlements

*Research Studies Show That Accident Victims*

*Represented By A Lawyer Often Get Larger Settlements*

By Christopher Davis, Attorney at Law

Attorney Chris Davis is the founder of **Davis Law Group, P.S.** in Seattle. Davis is a top-rated, award-winning plaintiff's personal injury lawyer with 20+ years of experience handling serious injury and wrongful death cases. He is the author of the Washington Accident Books & Reports series which his firm publishes and distributes as a public service. His office is located at 2101 Fourth Avenue, Suite 1030, Seattle, Washington. For more information about Chris Davis and the **Davis Law Group** visit [www.DavisLawGroupSeattle.com](http://www.DavisLawGroupSeattle.com) or call 206-727-4000.



## Washington Accident Books & Reports

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DAVIS LAW GROUP, P.S.

**Davis Law Group, P.S.**  
2101 Fourth Avenue  
Suite 1030  
Seattle, WA 98121

Phone: 206-727-4000  
Fax: 206-727-4001  
[www.InjuryTrialLawyer.com](http://www.InjuryTrialLawyer.com)  
[DavisLawGroupSeattle.com](http://DavisLawGroupSeattle.com)

## Research Studies Show That Car Accident Victims That Hire a Lawyer Get Larger Settlements: Attorney Representation Pays Off

The results of a 1999 study from the Insurance Research Council (IRC) suggest that the decision to hire an attorney pays significant dividends for accident victims pursuing an auto insurance claim. According to the Consumer Panel Survey of Auto Accident Victims, "Paying for Auto Injuries," settlements for injury victims were 40 percent higher with attorney representation than without it. As a result, we have seen a dramatic increase in the number of people who hire an attorney to handle their insurance claims. The type of services provided by attorneys for personal injury victims are broken down as follows:

- Filing a claim and/or lawsuit on behalf of an auto accident victim (54 percent).
- Negotiating settlement with the at-fault driver and/or their auto insurance company (35 percent).
- Advising medical treatment, including specific doctor, chiropractor or clinic referrals for recovering from injuries sustained in an accident (18 percent).

Additional reasons for hiring an attorney include:

- Insurance company denied victim's auto accident claim.
- At-fault driver did not have an auto insurance policy.
- Victim was dissatisfied by the insurance company's settlement offer.
- Insurance company appears to deliberately delay the settlement process.

In a separate yet related report from the IRC titled "Auto Injuries: Claiming Behavior and Its Impact on Insurance Costs," researchers analyzed how attorney representation relates to compensation from insurance companies for injury victims. The report found that 85 percent of all the dollars that are paid out by insurance companies for bodily injury claims are paid to clients who have hired an attorney to represent them. Furthermore, the IRC found that insurance payouts are, on average, 3.5 times higher for clients who have hired an attorney than for those without one. See the table below for a breakdown of the average insurance payout for specific injuries, both with and without an attorney's representation.\*

Type of Injury	Without an Attorney	With an Attorney	Difference in Payout
Neck Sprain or Strain	\$2,480	\$7,918	\$5,438
Bone Fracture	\$19,105	\$39,397	\$20,292
Minor Laceration	\$1,166	\$4,771	\$3,605
Average Injury	\$3,262	\$11,939	\$8,677

\*Because this study was conducted in 1999, dollar figures in this table would likely be much higher today due to inflation rates.

Another study conducted by the All-Industry Research Advisory Council (ARAC), titled "Attorney Involvement in Auto Injury Claims," explored the factors that made an accident victim more likely to hire an attorney to handle his or

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her claim. The study found that victims who reported higher amounts of monetary loss were more likely to hire an attorney. Equally significant was the finding that claimants who hired an attorney received a higher rate of reimbursement per dollar of economic loss. For example, in cases involving between \$5,000 and \$10,000 in economic loss – a relatively low range when it comes to personal injury claims – claimants who hired an attorney received \$1.59 for each \$1 of economic loss. That is compared to a rate of \$1.26 per \$1 of economic loss for claimants who did not hire an attorney.

The ARAC report also looked at the relationship between the decision to hire an attorney and client satisfaction following the settlement. The researchers found that more than 50 percent of all claimants who were represented by an attorney believed the compensation they received was far greater than what they would have been able to recover without hiring an attorney. Furthermore, 60 percent of all claimants were satisfied with the settlement or award recovered by their attorney and 75 percent were satisfied with the overall performance of their attorney.



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SERIOUS INJURY & WRONGFUL DEATH ATTORNEYS

2101 Fourth Avenue  
Suite 1030  
Seattle, WA 98121  
206-727-4000

[www.DavisLawGroupSeattle.com](http://www.DavisLawGroupSeattle.com)

**Christopher M. Davis**  
*Attorney at Law*