



UTAH BUS ACCIDENT GUIDE

*Steps to Take if You Were
in a Serious Accident*

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Busses are an excellent form of transportation for those who choose not to have a car and don't want to deal with the expenses that come with having a car. Like every mode of transportation, you have a risk of something going wrong. Bus accidents unfortunately happen and when it happens to you, it can be awful. Getting hurt in

any scenario can completely turn your life upside down and cause you a lot of grief. It is frustrating to be in an accident and then have to pay medical bills or miss work because of it. Our Utah bus accident lawyer is here to help you through it all. We will take over everything that has to do with your case so that you can focus on healing and recovering. After learning about your bus accident case, do not hesitate to give our office a call to set up a free consultation.

TIPS FOR A SUCCESSFUL CLAIM

Chances are you have never been in a bus accident before and aren't totally sure what to do after the accident happens to ensure that you have a successful case. Here are three helpful tips for you.

Get to the doctor sooner rather than later. You do not want to be waiting to have your injuries looked at. Your health is the most important thing and you don't want to risk worsening your condition. You might not need to get on an ambulance after the crash, but you need to get to a doctor as soon as possible to assess your injuries. It could be an urgent care or your primary physician.

Collect evidence from the scene. Take pictures of the entire scene; as many as you can. Talk to witnesses and the other people involved in the accident and get insurance information as well as contact information.

Don't talk to insurance company. They are not looking out for your best interest and will be asking you for a recorded statement shortly after the accident. Never give them one. They will try to pin the blame on you for the accident.

HOW COMPENSATION WORKS

Utah is a state that follows shared fault rules which affects how much compensation you may be eligible for. Here is how the rule works: If you are found to be 50% or more at fault for the cause of the accident, you will be completely barred from compensation altogether. If you are found to be less than 50% at fault, then your compensation will be reduced. If you share no fault in causing the accident (you were a passenger sitting on the bus when it collided with a car) then you would get full compensation. To give you an example of how the reduction of compensation works, let's say you were deemed 10% to blame for the accident for whatever reason. Now, let's say your compensation reward is \$10,000. Because you shared fault under 50%, you have to have a reduction in your compensation. You would take 10% away from that \$10,000 reward which would give you \$9,000. Our Utah bus accident lawyer works hard to get you the fullest and fairest amount of compensation possible.



TYPES OF BUS ACCIDENT INJURIES

Bus accidents include more than collisions of vehicles. They can be slip and falls at the bus station, you can be a passenger on the bus during a crash, or you could be in another vehicle that collided with the bus. The possible injuries range greatly due to these possible accidents that the term "bus accident" covers. The types of injuries include:

- » Broken bones or fractures
- » Cuts and lacerations
- » Whiplash
- » Spinal injury

- » Head injury
- » Internal bleeding
- » Paralysis

These injuries have the ability to permanent in nature. When you are seeking compensation, regardless of fault, the amount you receive is based on your injuries. If you have an injury that heals soon, your compensation would be less than if you were never going to heal from an injury. All of the details about your condition are taken into consideration when coming up with compensation to ask for.

STATUTE OF LIMITATIONS

It is possible that you have never heard of a statute of limitations. What the term means is a time period in which you can bring your bus accident claim or settle it in court. In Utah, the statute of limitations is four years. You will have four years in which you can bring or settle your case. If you procrastinate and call a lawyer the day after this four year time limit runs out, they cannot help you. It is not a loose rule, it is definite. You should never wait to start a bus accident claim. Once you are physically able to contact a lawyer, you should. They will make sure that the essential elements for a successful claim are in order. The sooner all of this happens, the better.



FREQUENTLY ASKED BUS ACCIDENT QUESTIONS

How Do I Find the Right Attorney?

If you've been involved in a bus accident in the state of Utah, it's important that you hire the right attorney. The right attorney, in that case, is somebody who has experience dealing

with bus crashes, is able to understand the regulations, understands how the bus company operates, and has an understanding of the different states that they operate in and how those crashes occur.

It's also very important in those cases that you get somebody who's a trial lawyer. With a number of people involved in a bus crash, insurance companies have a hard time settling those individually, so you're going to end up in trial more often than not. You need to have somebody who the insurance company knows is willing to go to trial as well.

What Mistakes Should I Avoid?

When someone has been seriously injured in a bus accident in the state of Utah, one of the common mistakes that we see regularly are people not seeking the medical care that they need to heal from their injuries. If you have been injured, it's important that you get in to see a doctor as quickly as you can, so that you can begin the process of making a physical recovery. Number two is to not follow the recommendations of your doctor. If a doctor has suggested that you do something, it's important that you follow that doctor's recommendations.

Number three is not hiring an attorney early on in the case. An attorney can step in, organize your case, help you avoid some of the pitfalls and the common mistakes that people make, and make sure that your case progresses smoothly. Mistake number four is not hiring an attorney who is a trial attorney. Insurance companies know who the trial attorneys are, and those cases are treated differently than the cases that are being run by attorneys who are not trial attorneys. It's important that the attorney that you hire understands the court system and is willing to take your case to trial.

What Should I Do After a Bus Accident?

If you have been injured by a bus in the state of Utah, we recommend that you do the following: First, you need to get in to see a doctor to seek medical care for any injuries that you have. You need to understand what your injuries are and what you need to do to make a full, physical recovery from them. Second, we recommend that you hire an attorney as quickly as you can. You want an attorney who can step in and handle the communications with the insurance

carrier, help your case progress smoothly, and help you avoid some of the pitfalls that we see people step into when they do not have an attorney.

Third, you need to make sure that the attorney you hire is a trial attorney, especially when you're dealing with these larger corporations. They know who the trial attorneys are, and they know who is going to hold them accountable and take them to a jury verdict, and they will be treated differently than an attorney that does not take cases to a jury verdict.

How Much is My Case Worth?

If you're trying to figure out what a bus injury case is worth, understand that that's a very tough question to answer. Some of the things that need to be looked at are the severity of the injury, the length of time that you suffer from the injury, how well you recover, and how well you're able to get back to work and do the things that you love to do. These are all things that are very difficult to know at the beginning of a case and develop as the case goes along.



What Are the Differences Between Car and Bus Accidents?

If you have been injured by a bus in the state of Utah, there are some differences that are important that our clients need to be aware of. First, buses are typically much larger than the objects or the vehicles that they strike, and so the forces are different. You need to understand what those forces are and how that impacts the type of injuries that you sustain and how severe those injuries are.

Second, you're typically dealing with a corporate policy, which typically carry higher insurance limits, so there usually is a greater amount of insurance to cover the injuries you sustain. A third issue is, lots of times, buses are owned by either states or cities, or municipalities or school districts, which are governmental agencies, and if the bus that injured you is owned by a governmental agency, there are different rules that apply. You have a shorter amount of time

to bring a claim. There are certain steps you have to take, and if you fail to take any of those steps, you could lose your right to make a claim.

Should I Talk to an Insurance Adjuster?

If you've been injured in a bus accident in the state of Utah, you might get asked to give a recorded statement to insurance adjusters, insurance attorneys, or their representatives. You are not required to do that. I would recommend that you talk to an attorney before you give any kind of recorded statement. The reason I do that is because they're going to ask the questions, and they're going to control the conversation in the way that they want to, and they're going to try to indicate that you're not hurt or if you are hurt, you're not as hurt as you think you are, or you're doing better, or you did something in the crash that you shouldn't have been doing. Their entire purpose is to say the value of your case is not what it's really worth.

How Long Will My Case Take?

I'm often asked, "How long will it take for my bus accident injury claim to settle in the state of Utah?" The answer to that question depends on a number of factors. The biggest factor is usually what type of injuries were sustained and how long it's going to take you to heal and recover from those injuries. Some injuries are minor, and you can make a very quick recovery; other injuries are more severe and require more time and medical care to make a recovery.

Once you have reached a stable point, we then request the bills and the records from your medical providers, and we compile those and use those to make a demand to the insurance company for fair compensation. In many cases, we're able to reach and negotiate a settlement with the insurance company. However, in some cases, if an insurance company is unwilling to make a full and fair settlement offer, we would then file litigation on your case.

Understand that we are always pushing to settle your case as quickly and aggressively as we can, however, at the same time knowing that you only get to settle this case one time. If you settle your case, you don't get to come back and ask for more later on.

What if My Kid Was Hurt on a School Bus?

If your child was injured on a school bus, whether or not your child can bring a claim depends on a number of factors. First, we need to do an investigation and try to determine what the cause of the injury was. Was it caused by the bus driver? Was it caused by the school itself? Was it caused by another student that was on the bus?

The second thing that needs to be understood is that schools usually are covered by governmental immunity, and the amount of time that your child has to bring a claim against the school could be shortened, and several steps need to be followed in order to be able to bring a claim against a school district.

CALL OUR OFFICE TODAY

When you are involved in a bus accident, it can really turn your life upside down and cause you and your family a lot of stress. We want to help make your life a lot easier after this accident. We will take on the stress of all things legal and we will do what we need to do to get you the compensation you deserve. Please call our Utah bus accident lawyer today to get a free initial consultation.

ABOUT THE AUTHORS



Kevin Swenson

Kevin Swenson was raised in Bountiful, Utah, and is a co-founding partner of Swenson & Shelley. After graduating from Bountiful High School, Kevin attended business school at Westminster College. While in college, Kevin owned and ran a sign company and also worked as an ambulance driver and firefighter. Kevin loved his work in the emergency medical arena. His career as a personal injury attorney allows Kevin to continue devoting his time to assisting injured people.

Kevin graduated from law school at the University of Utah and then worked as a defense attorney for insurance companies. Through that experience he learned how insurance companies work, how they think, and how they attack a claim. In 2010 Kevin “changed camps” and switched to representing injured individuals in his community rather than the multi-billion dollar insurance companies that fight those claims of those individuals.

He now feels a greater sense of purpose, and fulfillment, by assisting people who were injured by the wrongful acts of others. Understanding the reluctance of insurance companies to pay claims, and the strategies they use to get out of paying claims, Kevin is now able to use that first-hand knowledge to fight for injured parties and collect the money rightfully due to them from insurance companies.

Kevin has been involved in thousands of lawsuits over the course of his 27 years as an attorney, many of which have gone to a jury verdict. Kevin is passionate about what he does, he is devoted to helping individuals get the medical care they need, and he enjoys seeing his clients heal and move on from their injuries.

When Kevin isn’t working he enjoys the outdoors, family and travel.



Brian Shelley

Brian Shelley is a co-founding partner of Swenson & Shelley. As a child, Brian felt a strong connection to the underdog. During his short-lived career of playing football, some of Brian’s teammates determined they would hit the most undersized, least athletic opponent to “send a message.” As the plot unfolded, Brian performed a surgical-like leg sweep of his own teammate in order to keep the unsuspecting rival out of harm’s way. After receiving both physical and verbal repercussions from

his team, Brian decided to stick with his life-long passion...soccer.

Helping injured individuals recover lawful benefits from insurance companies gives Brian the satisfaction of representing the underdog daily. He enjoys

balancing the playing field by holding insurance companies responsible to pay claims fairly.

Brian completed his undergraduate degree in Business, Finance at Brigham Young University. He then pursued a law degree from Pepperdine University School of Law, graduating cum laude. He is licensed to practice law in Utah and California.

Brian has a wife and four young children. When not working, Brian can be found coaching three soccer teams, rock climbing, cooking, and traveling. Brian loves Lake Powell and the beaches of Southern California and Hawaii. Having lived on three continents and having visited over 25 countries, Brian deeply values the opportunity to see new places, experience new cultures, and meet the wonderful people that can be found in all places.



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