

TEXAS BUS ACCIDENT GUIDE

*What To Do If You're Seriously Injured
In A Bus Accident*



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Buses are a great mode of transportation. They are economical, and can reduce the number of vehicles on the road which benefits everyone. Unfortunately, like any other motor vehicle on the road, there can be accidents. Bus accidents are relatively common and can cause serious injury and damages. If you have found

your way to this page, you have most likely been injured in a bus accident. If your injuries need medical treatment, then you may be eligible to bring a bus accident claim. Our Texas bus accident attorney is here to guide you through the process of your legal case and get you the best results possible. After you read a little bit about your case, please call our office to set up a free case evaluation with our experienced attorney.

BUS ACCIDENT STATUTE OF LIMITATIONS

You will be given an allotted amount of time to bring your claim or have it settled in civil court. In Texas, you have two years starting from the date of your accident to do so. If you do not get your case brought by that time, you will no longer be eligible for compensation. We always encourage potential clients to call us right away and never wait to do so. There are benefits to calling an attorney right away. The first being that you will have someone working towards getting compensation for you so that you can focus on getting better. You also want someone on your case right away so that your evidence from the scene of the accident is protected and doesn't disappear, which sometimes happens, and your witnesses get interviewed before they have a chance to forget important details about the case. When you are seeking full and fair compensation, it is vital to hire an attorney right away so that you do not put them under an even tighter deadline. Two years is not a terribly long time and these cases take time. If you act quickly, there will be enough time to build a strong case for you and ensure you have the best chance at a full compensation award.

IMPORTANT STEPS FOR A SUCCESSFUL BUS ACCIDENT CASE

The ultimate, most important step for any personal injury case is to seek competent medical attention. You need to get your injuries treated as soon as possible. You should never wait. You may have a lot of adrenaline running through your body after the accident which would mute the pain, but you have to tend to your injuries. Waiting to see if they go away with some time is unwise and ill-advised. If you wait, there are two major consequences that may happen. One, you may be at risk for worsening your condition which would only prolong your recovery time. Second, if the insurance company wants to, they could look at that gap in treatment and say that you weren't badly injured enough to need compensation or that your injuries were from something other than that bus accident. That is a way they try to reduce or eliminate your claim. We do not want that to happen to you, so we urge you to see a doctor, go to the emergency room, or urgent care center right away to get treatment for your injuries.



AVOID TALKING TO THE LIABLE PARTY'S INSURANCE COMPANY

A successful case does not involve a conversation with the liable party's insurance company. Very shortly after your bus accident, you will most likely receive a call from the insurance company that represents the responsible party. This might be the driver of the bus, the bus company itself, or another vehicle operator on the road who caused your bus accident. When they call you, the insurance adjuster will tell you that this is routine and will help you resolve your case sooner. What they do not mention is that the questions they ask are geared toward getting you to say something wrong. If they can get you to say one wrong thing, they will be able to reduce the amount of compensation they owe you or try to throw out your case altogether. When you get this call, it is best to avoid it. You are

not obligated by law to take this call. You should have your attorney take over all communication with the insurance company as to protect your rights to full compensation.

FREQUENTLY ASKED BUS ACCIDENT QUESTIONS

How Do I Find the Right Attorney?

When it comes to selecting the best attorney for your bus accident case, you should ask these four questions. One, are you a personal injury trial lawyer? A personal injury lawyer is a lawyer who only handles personal injury cases. They don't handle divorces, bankruptcies, or criminal cases.

Two, are they a trial lawyer? In other words, will this lawyer go to court with you to represent your case in front of a judge and jury?

Third, does the lawyer have experience and success in this area of law? They should be able to talk to you about their successes, the cases they've been involved in, and the verdicts or results they have gotten.

Fourth, are they board-certified? This is one of the highest honors in their area of practice. In this state, only three percent of the lawyers are board-certified personal injury lawyers.

What Mistakes Should I Avoid?

The other day we had a client come in who asked what some of the common mistakes are that people make after they've been involved in a bus accident.

Some of the common mistakes that people make are that they don't call attorneys right away to seek legal advice and they don't seek attorneys who



specialize in personal injury bus accidents. These attorneys will be more experienced, and they have better techniques to advocate for you and your rights. It also pushes insurance companies to come to the table with better offers, knowing that there's a high risk that they'll take you to trial.

Another mistake that we commonly see is that people don't report their injuries. They don't call 911, and they don't make a claim of it. That can be damaging because there's no official documentation of it. Police also do their own investigations and preserve evidence, which can be beneficial for us in fighting for you. Another mistake we typically see is that people don't seek medical attention right away, which can be damaging to your claim later and obviously damaging to you as well.

What Should I Do After the Accident?

There are several things that must be done after being injured in a bus accident to make sure you have a strong personal injury claim and that your rights are protected. First, did you report the accident to the bus driver, bus company, or local government agency, such as a police department, DPS, or sheriff's office?

Another thing that's important is that you seek immediate medical attention. This not only means going to the local hospital, but also going to your medical provider. When you go to a hospital, they'll typically tell you, in writing, to follow up with your doctor after the visit is over. Please follow up with your doctor because otherwise you're not going to be compliant. By going to your own doctor, there could be untreated injuries that you may need to have closely examined, and that will only happen with your local medical provider.

It's also important that you hire an experienced lawyer who's handled bus accident cases before. It's not like your typical car accident. There are different regulations that are going to apply to both the busing company and to the bus driver. Your lawyer can properly examine these regulations to make sure they were complied with.

How Much is My Case Worth?

I had a client that came in the other day, and he was involved in a bus accident. One of the questions he asked during the initial interview was how to determine the value of his case. There are several factors that must be looked at.

First, what are the extent of the injuries that you suffered? The second factor you must look at is how and why this accident happened. Was a stop sign violated? Was the bus driver distracted in any way? Were they texting on their phone?

Another issue is there are specific regulations that apply to bus drivers and bus companies. Are they properly checking the buses? Are they checking the tread of the tires? Are they checking the brakes? Are the bus drivers being examined to make sure that they don't have any problems that could affect their ability to drive? For example, do they have blood pressure issues? Have they had their vision checked? The third thing that you must look at is the amount of insurance that the bus company has.



How Is My Claim Different?

A bus accident claim is very different than a car accident claim. There are specific regulations that are going to apply to a bus company or to the municipality that owns the bus. There are different regulations that are going to apply to the driver, in both the way you monitor and take care of the bus.

It's also important that you hire an experienced lawyer who handles bus accidents because there is going to be specific investigations that need to be done to determine the safety of the bus and the safety of the bus driver that was involved.

Should I Take a Settlement Offer?

The other day we had a client come in with a child who had been involved in a very serious bus accident. Insurance companies were calling them to make them an offer, and they wanted to know if they should take that first offer. We

don't ever recommend you taking an insurance company's first offer. They're usually going to undercut you. They're not going to give you sufficient funds to cover your injury damages.

What we recommend you do is contact an attorney who specializes in personal injury work and is an experienced trial lawyer. Insurance companies are aware of these attorneys and will come to the table with better offers, knowing that there's a huge risk that these attorneys will take them to court.

How Long Will This Case Take?

Generally, a bus accident case will take anywhere from one year to 18 months to settle. It depends on four things, basically – how badly you were hurt, how long it will take you to heal, how fair the insurance company will deal with you, and how long the court will make us wait before we can have a trial.

Should I Talk to the Insurance?

The other day we had a client come in who had been seriously injured in a bus accident case. They wanted to know if they should make a statement to the insurance companies. Our answer is no. Typically, insurance companies are not there to protect you. They're not there for your benefit. They are there to protect themselves. Any statement that you make will be recorded and can later be used against you, which can be very damaging to your claim.

What we recommend you do is seek legal advice right away from an attorney who specializes in personal injury and tell the insurance companies to contact your attorney directly.

CONTACT OUR OFFICE TODAY FOR A FREE CONSULTATION

If you are looking for dedicated, experienced, and supportive representation, please call our Texas bus accident attorney today to set up a free consultation. We will go over the details of your case, talk to your witnesses, and protect your evidence to build as strong a case as possible. If you want to see a full compensation award, please call us today.

ABOUT THE AUTHORS:

Garcia & Ochoa, LLP is a dynamic law firm with an ever-evolving quest for excellence, yet our focus is not myopic in any way. We passionately share our knowledge in a proactive, thorough and open manner. We always make time to help our clients & colleagues and never too busy for your questions, comments or concerns.

Over the course of the past three decades, we have successfully handled a wide variety of cases against companies and individuals in Texas and across the nation.



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