

# TEXAS OILFIELD ACCIDENT GUIDE

*What To Do If You're Seriously Injured  
In An Oilfield Accident*



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Being hurt on an oilfield can truly turn your life on its head. If you have found your way to this page, you are most likely suffering severe injuries from an oilfield accident. If you have a case, there will be a liable party that you can bring your claim against. This liable party is going to be represented by an insurance company

who will be responsible for compensating you for your damages. Our Texas oilfield accident lawyer knows how to navigate these insurance companies. We can fight against their defluctive tactics to get you the best result possible. These insurance companies have a goal to avoid giving you full compensation. They also will try to eliminate your case if they can. You can protect yourself by hiring an experienced attorney.

These insurance companies will try a number of things to save them money. They often try to claim your injuries are your own fault and will frequently hide or throw out evidence that supports your side of the case. With this particular form of accident, since it happens at the workplace, the insurance company likes to try to push you into a corner and have you limited to workers' compensation, which often caps off at a number far lower than what your injuries are worth. Your employer may also try to terminate you before you can bring a claim against them.

Our Texas oilfield accident lawyer has handled numerous cases just like yours with similar obstacles. We take pride in striving for success with each of our clients. We have the experience to defend your right of full and fair compensation from the liable party's insurance company and will work tirelessly to get you the best results possible. After you read up about your oilfield accident case, do not hesitate to call our office to set up a free consultation.

## IMPORTANT STEPS TO TAKE AFTER AN OILFIELD ACCIDENT

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To have a successful case, there are several things you need to do. First, you have to completely cease work. You don't want to ignore your injury and try to

keep working through it. Second, make sure you see your supervisor/employer/manager to report your injury. You should then ask to seek a medical profession of your choosing to get treatment. At this time, make sure you are not signing anything, giving any recorded statements, or accepting money from anyone. The last step is arguably most important which is to hire an attorney right away.

## HOW TO HAVE THE BEST CHANCE AT FULL COMPENSATION

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Even if the insurance company representative is very kind and ensuring, you need to understand that their friendliness is a means to help themselves. They need to protect themselves, and they will do that in various ways to reduce their responsibility for you. Some common techniques include:

- » Asking for a recorded statement
- » Having a private investigator follow you and produce video/photo evidence of you
- » “Accidentally” misplacing vital evidence that helps your case and hurts theirs
- » Pointing fingers at your to show that you were actually the one responsible for your own injuries because you weren’t following safety protocol
- » Getting statements and opinions from coworkers or experts that they hired to discredit you
- » Making you go to doctors that work for them to downplay your injuries
- » Using your social media posts against you to try to prove that you were lying about your injuries

Our Texas oilfield accident lawyer knows all of these tactics and more and will dedicate their practice to helping you recover a full and fair settlement award.

# FREQUENTLY ASKED OILFIELD ACCIDENT QUESTIONS

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## *What Do I Do After an Oilfield Injury?*

I had an individual that came in the other day who was involved in a horrible oilfield accident. One of the questions he asked was what he should do. The first thing is to contact your employer to let them know that you had the injury. It's also important to notify the person in charge of the job site that you were involved in this accident. If you do not report it, it's as if the accident never happened.

Another important thing is that you seek immediate medical attention. You need to make sure that you go to a hospital so you can get properly treated. It's also important to seek additional medical help by going to your private doctor, because the hospital typically is only going to look at life and death situations. They're not going to examine your body completely to make sure that you are okay.

The last thing of importance is that you hire a lawyer who is experienced in oilfield accidents because they're going to be aware of the regulations that are going to apply. If there's any investigation that needs to be done, they can do the investigation before evidence starts to vanish.

## *How Do I Find the Right Attorney?*

The other day a woman came in looking to see if we could help her with an injury her husband suffered in the oilfield. There are four things that you should look for when choosing an attorney to handle this type of claim.

First, is the lawyer that you're talking to a personal injury trial lawyer? Personal injury should be the only thing they practice. They don't do divorces, adoptions



or wills. Here at Garcia & Ochoa, we only handle personal injury. The next thing you'll need to know is whether or not they've had success with those kinds of cases. Again, we have had a history in being successful with these types of claims.

The other thing is whether or not they are a trial lawyer. In other words, will they take the case, if necessary, to trial and fight for you? The last thing that you should ask is whether or not, as a trial lawyer, they are board-certified. Board-certified means that you're in the top three percent of lawyers in that area of law. In other words, the lawyer is recognized by the state of Texas as experts in their field.

## *What Mistakes Should I Avoid Making?*

Some of the common mistakes that we see when people have been involved in oilfield accidents are that they don't report it. They don't call the police to make a claim, which is very important because for documentation and preservation of any evidence that can be available to us.

Another mistake that we typically see is that people don't seek legal advice right away, and they don't select an attorney who specializes in personal injury or oilfield accidents. An experienced attorney can help advocate for you in better ways because they are more knowledgeable in that area of law.

Another mistake that we see is not seeking medical attention right away, which can make it very difficult for us to then prove up how injured you truly were.

## *How Much Will My Case Be Worth?*

I had an individual come into my office last week, and one of the questions he had was how to determine the value of an oilfield accident claim. One of the first things that you must look at are the extent of the injuries. How badly were they harmed as the result of the oilfield accident? The second thing you must look at is how and why the accident happened. The third thing that you're going to look at is the amount of insurance that's involved for the company that was responsible. All these things are very important.

A lawyer who is experienced with these cases, such as our office, needs to look at the how and why to fully investigate what regulations, if any, were violated and if the company had a similar type of incident happen in the past. For example, if this incident happened once or twice before, then the value of the case changes tremendously.

With respect to the extent of the injuries, one other thing to note is, for instance, if you had a prior injury that is similar to one you suffered in the accident.



## *How Is My Case Different?*

I had an individual who was involved in an oilfield accident and wanted to know how this accident different than other types of accidents. One of the ways it's different is that there will be different regulations that apply to an oilfield. More training and expertise will be involved, and so that needs to be closely investigated. Another way they're different is the injuries tend to be much more serious, including severe burns and even death.

## *How Long Will This Case Take to Settle?*

The time it takes to resolve an oilfield injury case depends on many factors. One determining factor is the docket of the court. Depending on where you are, courts have different dockets and a different number of cases in front of you that still need to be tried.

The other thing that's going to come into play is the healing process and the type of injuries you've sustained. If you've suffered serious injuries, they can take a long time to heal. Until we're sure that you've reached maximum medical improvement, then we can move forward with your case and file a lawsuit, if necessary.

The next thing we have to worry about is if the insurance company brings a fair and reasonable offer to the table. If we not, we will have to file suit and fight it out in court. Those are the three main things that would come into play in determining how long it's going to take to resolve an oilfield accident claim.

## *Do I Need to Report My Injury?*

You should always report your oilfield accident to management. We will need that documentation. It's important that there's an official record of what happened, and that management knows what happened. It's also helpful because it will lead them to further investigate, which can be beneficial to us and your claim in the future.

I also suggest that you seek legal advice from a trained, experienced attorney in personal injury cases, and that you seek medical attention right away if you've been injured.

## *Should I Talk to the Insurance Company?*

The other day we had a client call who had been involved in an oilfield accident. He wanted to know if it was a good idea to talk to the insurance companies that had been calling him. We recommend that you do not talk to them. Insurance companies are not there to protect you; they are there to protect their insured. They're not there to protect the individual who has been injured.

They also will use whatever statement you make against you in the future, which can be very damaging to your claim. What we recommend you do is contact an attorney who specializes in personal injury and then tell the insurance company to talk to your attorney directly.

## CONTACT OUR OFFICE TODAY FOR A FREE CONSULTATION

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If you have been seriously injured in an oilfield accident, please do not hesitate to call our Texas oilfield accident lawyer today to set up a free consultation. We will guide you through your case every step of the way. We want you to feel like a priority. You deserve to get the best possible result from your case and we will help you get that full compensation award.

# ABOUT THE AUTHORS:

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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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