



**GRANO LAW**  
OFFICES, P.C.

2020 NEW MEXICO PERSONAL INJURY

# THE NEW MEXICO CAR ACCIDENT INJURY HANDBOOK

An Informative Legal Guide for Car Accident Injury  
Victims & Their Loved Ones



**BY MARC A. GRANO**  
**GRANO LAW OFFICES, P.C.**

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# ABOUT GRANO LAW OFFICES, P.C.



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As a personal injury and criminal defense lawyer serving clients in Las Vegas, Raton, Mora, Espanola, Taos, Santa Rosa, Santa Fe, Albuquerque and anywhere in between. I offer agile legal services that get the results my clients deserve.

Playing offense and defense in these two areas of law give me a unique vantage point. Not only do I take a tough stance against your detractors, but I also leverage my experience to anticipate what the opposing parties may use against you.

When you deploy my legal services, you have the advantage of working with a professional that is in your corner during the entire process. Simply put, my attention does not compete with conflicting interests, and I always put my client's legal interests first.



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## Introduction

WELCOME LETTER FROM  
GRANO LAW OFFICES, P.C.  
FOUNDER AND ATTORNEY,  
MARC. A GRANO





Dear New Mexico friends and families:

If you or someone you love has recently been injured in a car accident, I would like to offer my deepest condolences on behalf of my entire firm. Few things devastate us more than the aftermath of a traumatic injury or death of a family member. Our thoughts and prayers are with you during this challenging time.

My firm's motto and belief is one and the same: Bad things happen to good people. This statement is no more accurate than when applied to cases involving the negligence of another. As a practicing personal injury lawyer in Las Vegas, NM, I see the hurdles that injured clients or their grieving family members have to clear daily.

Unfortunately, insurance companies and third-parties do not review claims through the lens of an injury victim and may try to settle your case for less than you deserve. New Mexico civil laws protect your rights to equitable compensation, and you may need to assert them when liable parties do not meet their obligations toward you.

That's where my services and this guide become helpful.

I wrote The New Mexico Car Accident Injury Handbook because I want people in your situation to gain the fundamental knowledge they need to initiate a claim and how working with an attorney, like myself, will help you navigate the legal proceedings while you focus on your health and well-being.

You are always welcome to reach out to my office for a No-Cost, No-Obligation Consultation if you have questions about a potential case. Call my office at [\(505\) 426-8711](tel:5054268711) or reach out by email at [marcgrano@gmail.com](mailto:marcgrano@gmail.com) today.

Thank you for taking the time to read this guide, and please let my office know if we can serve you in any capacity.

Sincerely,

Marc A. Grano

Founder & Lawyer

Grano Law Offices, P.C.



## CHAPTER ONE

# YOUR RIGHTS AND OBLIGATIONS AFTER A CAR ACCIDENT IN NEW MEXICO





# Your Rights and Obligations After a Car Accident in New Mexico

Car accidents, even minor ones, can be traumatic and disruptive, especially if you are left wondering about your legal rights and obligations. Understanding your rights and obligations will make a difficult situation a little bit easier.

## **Stay on the Scene**

In every accident involving injury or property damage, the driver has an obligation to stay on the scene until the driver has shared his or her information and help has arrived, if necessary. Penalties for leaving the scene vary based on the severity of the accident, from a misdemeanor to a felony.

## **Share Information and Help**

When the accident involves injury or death, the driver is obligated to help any injured person. The driver must also share his or her name, address and the registration number of the vehicle he is driving and shall, upon request exhibit his driver's license to the person struck, or to the other driver if the accident does not involve an injury.

## **Striking an Unattended Vehicle**

Sometimes a car accident can involve an unoccupied car. When that happens, New Mexico law requires drivers to try to locate the owner of the car, share his or her name, address, and owner of the vehicle. If the owner cannot be found, the at-fault driver must leave that information in a conspicuous place on the struck vehicle.



# Your Rights and Obligations After a Car Accident in New Mexico (continued)



## Reporting to Law Enforcement

In New Mexico, you are obligated to report an accident if you were the driver if the accident results in bodily injury or death of any person, or \$500 worth of property damage. New Mexico law requires that when an accident involving bodily injury or more than \$500 of apparent property damage occurs.

## Reporting to the Department of Transportation

If you were the driver and the accident resulted in bodily injury or more than \$500 of apparent property damage, you must forward the report to the Department of Transportation within 5 days.

## Take Pictures and Video from the Scene (If You Can)

Preserving the scene of your accident as soon as possible is of the utmost importance. If you are able, take pictures of the site of the accident, video of the traffic conditions, and recordings of the weather conditions, skid marks on the road, street signs, and other external factors that might help establish what happened.

## Keep Receipts and Other Documents Related to Your Case

You may be entitled to recover all of your losses. Keeping receipts and other documentation will be necessary to recover the full amount to which you are entitled. When in doubt, don't throw it out.



## CHAPTER TWO

# PROTECTING YOUR RIGHTS AT THE HOSPITAL





# PROTECTING YOUR RIGHTS AT THE HOSPITAL

When another driver injures you, the aftermath of a car accident is overwhelming. Not only do you have to think fast during a critical moment, but bodily harm causes severe pain that takes over your entire central nervous system.

If someone injured you in a car accident, the only thing you should think about is getting help from a licensed doctor. While the prospect of rising medical costs may alarm you, there are legal options available so that you get the care you need.

However, retaining those options requires you to protect your legal rights during every interaction with your medical provider. Your medical records are admissible for evidentiary purposes when negotiating with insurance companies or litigating your personal injury case.

## **When Should You Go to an ER After a Car Accident?**

Emergency responders will transport injury victims to the emergency room for immediate medical attention. If your injuries do not require an ambulance ride to the ER, it may be in your best interests to take yourself or coordinate with a family member or friend to drive you there.

Otherwise, schedule an emergency visit with your primary care physician (PCP) as soon as you possibly can. Why? Some injuries cause delayed symptoms and can become life-threatening if left unmanaged.

Your health and well-being are too vital to put at risk with unnecessary delays. A physician will ensure that you are safe while adequately documenting your injuries for medical and legal purposes.

# PROTECTING YOUR RIGHTS AT THE HOSPITAL

## (continued)



### What to Do If You Have to Visit the Emergency Room After a Car Accident

When sent to the emergency room for care, you may or may not be able to immediately handle certain aspects. Just do your best to report all injuries and follow your doctor's orders. When you visit the ER, you have a few obligations to keep in mind, including:

- **Speak frankly with your doctor:** Some injuries may only cause minor pain. Now is not the best time to downplay your injuries, no matter how trivial they seem. Speak frankly with your doctor and tell them exactly what you are feeling. Doing so ensures that you receive adequate treatment from the start.
- **Avoid describing the accident in excruciating detail:** Though you should always speak frankly about your physical ailments, it may not be in your best wise to share every detail about the accident with your doctor.
- **Be careful about when signing paperwork:** Hospital staffers will ask you to sign a monumental amount of paperwork to advise you of your rights and cover their liabilities. Make sure that you read every document carefully and do not sign anything without understanding what it means.

After your doctor discharges you from the emergency room, follow all his or her orders explicitly. It is likely that the doctor will advise you to schedule follow-up appointments with your primary care physician to continue your treatment. Make sure that you follow all recommended follow-ups and aftercare.

# 3

## CHAPTER THREE

# HOW TO FILE A CAR ACCIDENT INJURY CLAIM





# How to File a Car Accident Injury Claim

Filing a personal injury lawsuit in New Mexico depends upon the facts and circumstances of your case. Many types of accidents fall under personal injury law when bodily harm occurs.

From slip and falls to car accidents, personal injury broad and complex body of law. Therefore, it is vital to understand that no two cases are alike or follow the same protocols and timelines.

Establishing liability is one of the biggest concerns when pursuing a personal injury claim in New Mexico. While the information below is general in nature, it does help you learn about filing one and the most practical approach you can take.

## **1. Contact the At-Fault Driver's Insurance Company**

If you were injured and think another party is at fault, you file the claim through their insurance company New Mexico is an at-fault insurance state. At-fault means that the person who caused the accident injuries is financially liable to the accident injury victims involved.

You will need to open a claim. If the insurance company does not cover your injuries or offers adequate compensation, then you may want to contact a New Mexico personal injury attorney to help you take your claim further.

While you are reporting your accident injury claim, be sure that you do not make any self-incriminating statements since they can be used against you later. No matter what they say, the insurance company paying your benefits does not have your best interests at heart.

# How to File a Car Accident Injury Claim (continued)



## 2. Discuss Your Claim with a New Mexico Personal Injury Attorney

Rarely is it ever the case that personal injury claims are black and white. Although you can self-represent, it is challenging to litigate a personal injury claim on your own while you are physically and emotionally recovering from your accident. Working with an attorney will give you peace of mind in knowing that your claim is handled by a legal professional with strong negotiation skills and experience dealing with insurance companies. He or she will try to negotiate a settlement before filing a case in court.

If you are concerned by how much a personal injury lawyer in New Mexico charges, take the time to find a contingency fee personal injury lawyer in New Mexico. Rather than paying a hefty retainer to a law firm upfront, a contingency fee arrangement allows you to pay for your legal expenses from your settlement or civil court award.

## 3. Pursue an Insurance Settlement Claim or Civil Court Award

Fortunately, for injured clients, most personal injury cases reach the settlement phase before ever going to a jury trial. This strategy might keep your accident out of public record and allows you to move on with your life sooner rather than later.

If you and your lawyer are unable to reach a satisfactory settlement with the insurance company, he or she may recommend filing your case in civil court. Your lawyer will advise you of your rights, risks, and opportunities when going after a personal injury claim settlement or civil court award.



## CHAPTER FOUR

# AVOID MAKING THESE MISTAKES WHEN FILING A CAR ACCIDENT INJURY CLAIM







# Avoid Making THESE Mistakes When Filing a Car Accident Injury Claim

Whether you are currently dealing with car accident injuries or just want to know what to do if the unthinkable happens, it is essential that you avoid making some common mistakes afterward. Insurance adjusters are NOT on your side when making an injury claim and will not think twice about taking advantage of seemingly innocuous statements.

In this chapter, I cover the five mistakes you should avoid when filing a car accident injury claim in New Mexico. While the information below is general, feel free to contact my office for specific legal advice from an experienced New Mexico car accident lawyer.

## 1. Downplaying OR Overstating Your Injuries

More stoic individuals may be inclined to downplay their injuries. Avoid making this mistake if this is you.

When it comes to your physical and mental well-being, do not be afraid to say how you really feel. Negotiating a settlement or jury award is your one shot at seeking restitution for the losses that someone else caused you.

In a car accident injury claim, an attorney will look for opportunities to negotiate compensation that accounts for your future losses. Without an accurate look at your complete medical picture, that objective becomes more challenging.

That said, make sure that you are describing your injuries accurately. Overstating your injuries can have as much of an impact on your case as downplaying them.

# Avoid Making THESE Mistakes When Filing a Car Accident Injury Claim (continued)



## 2. Allowing Emotions to Control You

It's emotionally taxing to deal with a car accident, injuries, and subsequent financial losses, especially when someone else caused the accident. However, I STRONGLY urge you to think twice about how you react as much as possible when handling a car accident injury claim.

Yelling and screaming DO NOT necessarily make you appear to be more injured. This sentiment applies to:

- The other driver(s)
- Eyewitnesses
- Law enforcement
- Insurance companies
- Civil courts
- Opposing counsel

### **Why does your behavior matter when claiming money for the injuries that someone else causes you?**

Because insurance adjusters are looking for any reason to deny you benefits. Stomping around and name-calling may contradict your claims and prevent you from receiving the money you need for injuries you are genuinely experiencing.

### 3. Discussing Your Case on Social Media

Did you know that the insurance company can submit your social media posts as evidence to deny your benefits? Even if you are only discussing how miserable you are, you NEVER know the lengths that the insurance adjuster will take.

Avoid discussing your case with anyone outside of your attorney, trusted family members, and physician as a general rule of thumb.



### 4. Saying, "I'm Sorry"

While you might be sorry that the accident happened, even if the other driver caused it, it could be construed as a sign of guilt. Unfortunately, this can negatively impact your car accident injury claim. Even if you think you are partially at fault, do not apologize. Accidents, by their very nature, happen quickly. You cannot be sure of the facts until a New Mexico personal injury has the chance to review the evidence available.

### 5. Not Contacting a New Mexico Car Accident Lawyer

Once you have filed a police report, visited a doctor, and contacted your insurer, your next step is to contact an experienced car accident attorney in New Mexico who carries a reputation for results. He or she can help you evaluate an offer, preserve evidence, file an appeal, or even take your case to a civil trial if an equitable settlement is not offered. Your lawyer will help you account for all of your losses and work toward asserting your rights to them.

### Free Claim Evaluation

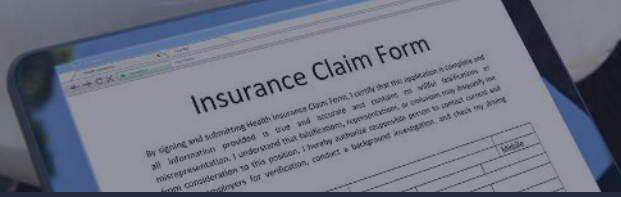
You have legal rights after an accident. Contact me at Grano Law Offices, P.C. for a FREE claim evaluation. Request yours now by calling my office at [505-587-8649](tel:505-587-8649) or [sending me a message here](#).



## CHAPTER FIVE

# WHAT TO DO IF THE AT-FAULT DRIVER AND INSURER DENY LIABILITY





# WHAT TO DO IF THE AT-FAULT DRIVER AND INSURER DENY LIABILITY

New Mexico is an at-fault insurance state, which means that the liable driver's insurance company pays for the bodily harm and motor vehicle damage he or she caused you. However, it is crucial to understand that insurance adjusters exist to assess damages and determine what benefits they should pay to you based on opinion.

As you can likely imagine, the preceding statement shows that there is room for interpretation on behalf of the adjuster for:

- Determining who was at-fault
- Assessing the extent of your losses
- Establishing whether the insurer covers them

Not uncommonly, the at-fault driver and his or her insurance company may try to pin the blame on you and deny your claim for a myriad of unscrupulous reasons. Severely injured parties or surviving loved ones should contact a New Mexico car accident lawyer for help at this point.

## Reasons Insurance Companies Deny Liability

One of the most important things to understand when approaching insurance companies is that they are, foremost, a business. Like any other company, it has one primary goal: to turn a profit.

That makes sense in theory, but it does not always mean that they achieve their objectives the right way.

# WHAT TO DO IF THE AT-FAULT DRIVER AND INSURER DENY LIABILITY (continued)



The ideal position for an insurance company is to collect premium payments from customers while paying out the least amount of money on accident injury and property damage claims. If the insurance adjuster sees an opportunity to deny you benefits, accurate or not, he or she will.

## **Here are seven reasons insurance companies denied your benefits:**

1. The police report did not conclude that the other driver was at-fault
2. Your injuries or motor vehicle damage were preexisting
3. The insurance policy held by the other driver was invalid
4. You did not file the claim within the required period
5. The extent of your losses are not as severe as you portray them
6. Your policy does not cover the damage you experienced
7. You did not seek immediate medical attention

While the preceding list is not exhaustive, it helps you understand the loopholes insurance companies look for to protect its own assets. If you hire a New Mexico car accident lawyer, I can help you handle these frustrating denials.



## CHAPTER SIX

# HOW MUCH YOUR NEW MEXICO CAR ACCIDENT INJURY CASE MAY BE WORTH





# HOW MUCH YOUR CAR ACCIDENT INJURY CASE MAY BE WORTH

Since the process of my legal counsel values honesty and transparency, I want to inform you that it is challenging and unethical to tell a potential client how much his or her New Mexico car accident lawsuit may be worth in a blog post. As a Las Vegas, NM car accident lawyer, I can tell you, however, that there are a few guidelines regarding what you might be able to request depending upon the circumstances of your case.

## Financial Compensation Available for Car Accident Injuries

Civil courts in New Mexico allow injured parties or surviving family members, in matters of wrongful death, to negotiate a settlement or file a lawsuit to recuperate damages for their financial, physical, and emotional losses. Damages is the legal term that refers to monetary awards. Here is a little more information as to what each type is below:

### Economic Damage

Economic damages are your direct, measurable losses. They include things like:

- Medical expenses
- Lost wages and benefits
- Travel to and from doctors' appointments
- Physical and psychological therapy
- Lost future earning capacity

It is vital that you save your receipts, invoices, and statements since they are the documents that I submit to insurance companies and courts to prove your out-of-pocket expenses if you hire me as your car accident attorney in New Mexico.



# HOW MUCH YOUR NEW MEXICO CAR ACCIDENT INJURY LAWSUIT MAY BE WORTH (continued)

## Non-Economic Damage

Non-economic damages are the more challenging aspect to measure since they relate to emotional, physical, and cognitive losses.

They include injuries related to:

- Physical pain and suffering
- Mental anguish
- Loss of enjoyment of life
- Loss of companionship



There are a few strategies that I use when approaching negotiation discussions or civil courts in this area. Typically, courts will evaluate your total non-economic damages based upon the severity of your injuries.

## Punitive Damages

Punitive damages are not often awarded in New Mexico personal injury lawsuits. They are reserved for making an example of defendants, who exhibit the grossest acts of negligent or reckless behavior.

Simply put, judges award them to plaintiffs in an effort to “punish” defendants deserving of additional action. There are no damage caps as to how much you can recuperate for punitive damages in New Mexico.



## CHAPTER SEVEN

# WHAT IS THE STATUTE OF LIMITATIONS FOR A CAR ACCIDENT INJURY CLAIM IN NEW MEXICO?





# WHAT IS THE STATUTE OF LIMITATIONS FOR A CAR ACCIDENT INJURY CLAIM?

As a general rule, the statute of limitations for a car accident in New Mexico is three years from the date of your injury or family member's death. Claims against government entities are shorter at two years. If you do not file a claim within this timeframe, then you forgo your legal right to financial compensation.

## What Does the Term Statute of Limitations Mean?

The term statute of limitations is a civil court deadline that permits you to file a claim. Every U.S. state has a specific set of rules that it follows according to state codes. They exist to preserve evidence and witness testimony since both may degrade over time.

## How Much Time Do I Have to File a Car Accident Claim or Lawsuit?

Car accident injury cases are generally governed by New Mexico personal injury or wrongful death laws. Claims against government entities carry a different timeline, which means that it is crucial to be aware of this caveat as well. The personal injury statute of limitations that pertain to car accident lawsuits in New Mexico include:

- **General personal injury:** Up to 3 years from the date of your injury.
- **Wrongful death:** Up to 3 years from the date of death.
- **Claims against the government:** Up to 2 years from the date of your injury.

Filing your claim within the prescribed statute of limitations is vital to the outcome of your case. Failing to file your claim within the statute of limitations may prevent you from receiving the justice and compensation that you deserve.

# WHAT IS THE STATUTE OF LIMITATIONS FOR A CAR ACCIDENT INJURY CLAIM? (continued)



## What Happens If I Miss the Statute of Limitations in My Car Accident Claim?

If you miss the statute of limitations in your car accident claim, you are forgoing your right to compensation. Filing a civil court lawsuit or insurance claim will most likely result in a case dismissal or outright denial of your benefits. You are effectively forfeiting your right to compensation for things like:

- Medical costs
- Lost work wages
- Future lost earnings
- Wrongful death benefits
- And more, as allowable by law

Avoid waiting to contact a New Mexico car accident lawyer just to “see how things go.” It is frustrating and disheartening to see negligent parties get away with their actions based on a legal technicality.

## What Can I Do to Make Sure that I Do Not Miss the New Mexico Statute of Limitations?

Depending upon the circumstances of your case, the statute of limitations that apply is not always black-and-white. While the information presented in this blog post gives you a general idea of what to expect, the most practical way to avoid missing the statute of limitations is by speaking with a New Mexico car accident lawyer.



## CHAPTER EIGHT

# WRONGFUL DEATH: WHAT TO KNOW IF THE UNTHINKABLE HAPPENS





# Wrongful Death: What to Know If the Unthinkable Happens

If you found this post to learn more about how to file a wrongful death claim after a car accident in New Mexico, my firm would like to start by offering your family our deepest condolences. No one should ever have to face this situation.

However, you do have legal options if you wish to hold negligent parties accountable for their actions and your family's losses through a negotiated insurance settlement or civil court award.

## How New Mexico Defines Wrongful Death

New Mexico law defines wrongful death as losing one's life due to a negligent act of another. Within the context of car accidents, your wrongful death claim means that it must meet specific criteria, including:

- **Duty:** Drivers on New Mexico roads owe each other a duty of care. This requirement also applies to motorists and pedestrians sharing the roadway.
- **Causation:** A breach in one's duty of care can result in an accident.
- **Death:** If the accident caused life-ending injuries, then New Mexico wrongful death laws govern your claim.
- **Damages:** The death of a family member must involve current or future financial losses, including the cost of burial or cremation, therapy for you, and lost earnings.

# Wrongful Death: What to Know If the Unthinkable Happens (continued)



## What Can You Recover in a Wrongful Death Claim?

Wrongful death laws are put into place for a reason. When someone else causes the death of your family member negligently, it is true that no amount of money that they or their insurer could ever pay to make up for all of your family's losses.

Not only did you lose out on a meaningful relationship, but now you are potentially paying for:

- Funeral services
- Medical bills
- Lost wages
- Lost future income
- Loss of companionship
- Mental anguish
- And more, as applicable

The idea is that those bills and future damages would not be there if the other driver had not caused them. While every case is unique, the vast majority of personal injury cases never go trial anyway, so it is unlikely you will have to face an arduous lawsuit. An experienced wrongful death attorney, like Marc Grano, can help you determine the best approach for your situation so that you transparently pursue adequate compensation.

## How Much Time Do You Have to File?

There is a civil deadline known as the statute of limitations that prescribes how much time you have to file a wrongful death claim. In New Mexico, you have up to three years from the date of your family

With the exception of Wrongful Death claims under the New Mexico Tort Claims Act, which has a shorter statute of limitations of two years.  
member's death.



Missing this deadline will result in a denial of your insurance claim or a dismissal of your case. Do not miss this critical timeline if you want to file a claim.

## Who Is Eligible to Go After Wrongful Death Compensation?

The person responsible for filing a wrongful death claim is the wrongful death personal representative. There are specific considerations when deciding who to appoint as a wrongful death personal representative.

This decision must be discussed thoroughly and early in the process. Making the correct choice in the appointment of a wrongful death personal representative can and will put your claim in the best position for success.

No matter who holds or fills the position, all proceeds from the lawsuit are distributed to the heirs, either under the guidance providing under New Mexico's Wrongful Death Act.





## CHAPTER NINE

# 3 SIGNS YOU NEED AN INJURY LAWYER (AND SIGNS YOU DON'T!)





## 3 Signs You Need an Injury Lawyer (And Signs You Don't!)

Wondering if you should contact a personal injury lawyer after an accident? Handling an accident claim on your own may seem like the cheapest and easiest way to recover compensation for your injuries, but it is not always in your best interest. Before writing a lawyer off as being too expensive, consider this first: New Mexico personal injury lawyers, like myself, do not charge clients attorneys' fees unless we win a monetary award on your behalf.

That means that you have a legal professional negotiating, investigating, analyzing, or litigating your case without having to pay a penny upfront. While every claim is unique, the statistics are shocking. Individuals who hire a personal injury lawyer receive an average settlement of more than 400% higher than those who do not.

### **When to NOT to Hire an Injury Attorney**

The most compelling reason to not hire a personal injury lawyer is when doing so does not add any value to your claim. And a personal injury lawyer will let you know if he or she believes that this situation for you during your free case strategy session. Here is the reason why: it is unethical for a lawyer to take on a case that he or she cannot help.

Plus, negotiating or litigating a personal injury claim is expensive for law firms to take on. Since we do not ask you to pay a retainer beforehand, we are using our resources on the premise that there is a good chance that you will win your case.

While representing you, I am paying for things like analysis, expert testimony, and filing fees on your behalf. If I believe that these costs will outweigh the recovery that I can make, then I will not recommend that you move forward with legal representation.

## 3 Signs You Need an Injury Lawyer (And Signs You Don't!) (continued)



### When Calling a Lawyer Is Beneficial

Personal injury lawyers have the training, experience, skills, and insight to handle your settlement or civil court award strategically. Here are a few situations in which calling a personal injury lawyer makes sense:

- **You sustained severe injuries:** Severe injury cases are highly-technical matters that may involve the need for you to argue future medical costs, lost work wages, mental anguish, and punitive damages. These losses are HUGE for insurance companies and will do everything they can to undervalue your claim.
- **The other driver is not accepting fault:** Since New Mexico is an at-fault insurance state, you are filing the claim through the at-fault drivers' insurance company. As you can imagine, the insurance adjuster will side with its paying customer before offering you any sympathy for your losses.
- **You are evaluating a settlement:** Accident injury victims are entitled to a financial recovery that is reasonable. If the insurance company is denying you benefits that leave you less than whole, you do not have to feel pressured to accept their offer.

A good rule of thumb to use when determining if you need an accident injury lawyer is to simply call him or her for a professional opinion. Contacting a lawyer for free insight and information about your case is something that you can use to explore your options.

## What to Expect When You Contact an Injury Lawyer

If you conclude that hiring a New Mexico car accident injury lawyer makes the most sense for your situation, the first step is reaching out for a free case strategy session.

### Making the Call

During this no-cost phone call, I will confidentially analyze the facts of your case, provide my insight regarding its possibilities, and what I can do to help you. You are in the “driver’s seat” when it comes to whether or not you want to move forward with my recommendations.



### Affording a Lawyer

If you decide to hire me and my time, I will not charge you an upfront retainer to sign a letter of representation. How is this possible? I take cases on a contingency fee agreement, which means that I only receive payment for my legal services after making a recovery for you.

Working with a contingency fee lawyer in New Mexico gives you reassurance in knowing that you do not have to shell out a large sum of money to receive the legal help and that your lawyer is genuinely working hard to recover the most amount of money for your claim.

### Free Claim Evaluation

If you are ready to learn more about your legal options after an injury that someone else’s negligence caused you or your loved ones, contact me at Grano Law Offices, P.C. for a FREE claim evaluation.

Request yours by calling my office at [505-587-8649](tel:505-587-8649) or [sending me a message here](#).

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## CHAPTER TEN

# HOW MUCH DOES A PERSONAL INJURY LAWYER IN NEW MEXICO CHARGE?





# HOW MUCH DOES A PERSONAL INJURY LAWYER IN NEW MEXICO CHARGE?

Injury victims may forgo seeking legal advice due to the perception of the cost when it comes to legal services. After all, lawyers do not carry a representation for being “cheap,” especially personal injury lawyers.

These are professionals who assume legal responsibility for the issues that are causing you financial, mental, and physical losses. In addition to this ethical duty of care, your personal injury lawyer in New Mexico will also use his or her resources to establish and prove the facts of your case.

However, instead of charging you upfront, he or she may offer alternative payment arrangements, as I use at Grano Law Offices, P.C., to ensure that the cost of legal care does not prevent you from receiving it.

## **How Do Lawyers Bill for Their Services?**

There are several ways that a lawyer will bill for his or her services. The way that we bill them largely depends upon the type of law we practice. In general, the most common ways that attorneys bill for their services include:

- Retainers
- Hourly rates
- Contingency fees

Retainers and hourly rates are generally reserved for matters involving criminal, family, and corporate law. However, contingency fees are an excellent solution for clients who have a personal injury claim. I describe how contingency fees work in the next section.

# HOW MUCH DOES A PERSONAL INJURY LAWYER IN NEW MEXICO CHARGE? (continued)



## What Contingency Fees Do Lawyers Charge?

As a personal injury lawyer serving Las Vegas, NM, and surrounding areas, I take injury cases on a contingency fee agreement. It is a payment arrangement that allows my clients to have cash available to pay for their regular bills while ensuring that they have a results-driven lawyer in their corner.

As a New Mexico personal injury lawyer offering a contingency fee agreement, I do not recover my attorneys' fees and civil out-of-pocket costs unless I win your case. Instead of you having to cover the costs of depositions, expert testimony, arbitration, court costs, and more, I will assume this liability for you and then recuperate my costs when you recover money. The contingency fee arrangement works well for clients who want to know that their attorney is working for results under a convenient legal fee structure.

## Do Personal Injury Lawyers Ever Charge Hourly?

Some situations exist where a personal injury lawyer will charge clients by the hour. However, it is a rare billing method and reserved for specific circumstances.

If you decide to hire my firm to represent you, I will provide full transparency concerning how much I will charge. It is unethical to not offer a clear understanding of what legal clients should anticipate.

# 11

## CHAPTER ELEVEN

# QUESTIONS TO ASK A NEW MEXICO CAR ACCIDENT LAWYER DURING YOUR CONSULTATION





# QUESTIONS TO ASK A NEW MEXICO CAR ACCIDENT LAWYER DURING YOUR FREE CONSULTATION

There are hundreds of car accident lawyers in New Mexico. If you have determined that contacting an attorney is right for you, how do you determine which firm is best-suited to handle your case?

Asking a car accident lawyer the right questions will provide you with the answer.

If you are like many people, getting into a car accident and sustaining injuries is the first time you have had a reason to contact a lawyer. Knowing practical questions to ask will help you make a more informed decision.

Here are six questions you should ask a New Mexico car accident lawyer about your case:

## **1. “Do I Have a Valid Car Accident Injury Case? If so, what are my options?”**

Determining if your case is actionable starts by examining a few legal elements of what constitutes a personal injury matter. All drivers on the road owe each other a duty of care. If this duty is breached and causes you an injury associated with a financial loss, you have a valid car accident injury case in New Mexico.

Your options after sustaining a car accident injury include negotiating an insurance settlement or litigating a civil court award (if your case gets that far). More than 95 percent of personal injury claims settle before ever going to trial.

# QUESTIONS TO ASK A NEW MEXICO CAR ACCIDENT LAWYER DURING YOUR FREE CONSULTATION (continued)

## 2. “How Much Is My Car Accident Injury Claim Is Worth?”

Equitable compensation for injuries that someone else caused you is the capstone of a car accident injury claim. Even seemingly minor injuries can result in expensive treatment, missed work, and physical therapy.

That said, the value of your case is determined by several factors, many of which are unknown at this time. During your free case strategy session or consultation with a New Mexico personal injury lawyer, ask his or her legal opinion regarding what your car accident injury case is worth.

## 3. “Do I Have to Talk to the Insurance Adjuster that Is Calling Me?”

After a car accident, you will receive a telephone call from the other driver’s insurer. It is vital that you speak carefully since anything you say can be used against you to deny your claim later.

You are not required to speak with the other driver’s insurance company. However, you do have to act in good faith to complete the claims process. Instead of leaving things to chance, hiring a car accident attorney in New Mexico will help you to avoid self-incriminating statements.

## 4. “How Will You Deal with the Insurance Company on My Behalf?”

Whether you are dealing with your own insurance company or dealing with another’s, you need to know what your attorney will do as he or she represents you. Find out if your lawyer will take care of the paperwork and negotiations.

Your car accident attorney should go to bat for you and ensure that you are getting an adequate settlement for your losses. The insurance company is NOT representing your interests, so make sure they take you seriously.



## 5. “What Deadlines Apply to My Case?”

New Mexico, like all U.S. states, has a statute of limitations—or civil deadline—that governs the timeline of your case. Make sure that you inquire about these dates. These deadlines vary depending upon the type of claim you are filing, such as general personal injury, wrongful death, and product liability. Therefore, it is critical that you know what these dates are.

## 6. “Will You Help Me Recover an Award for Future Losses?”

Car accident injuries can take months or years to develop. Insurance companies understand this aspect and will be quick to offer you and settlement to close out the claim. Accepting an inadequate settlement offer prohibits you from receiving future compensation! An experienced and strategic car accident lawyer will focus on mitigating damage further while analyzing what your future losses may be. He or she will factor this information into your settlement negotiations or civil court lawsuit if your case gets that far.

## 7. “What Do You Need from Me?”

The amount of participation in your car accident case largely depends upon the severity of your injuries. However, if you can help your case, you should. Inquire as to the types of documentation you need to provide, how to document future losses, and what you can do to avoid hurting your case. If you are too injured to assemble this information, your attorney will help you through the process.

Ultimately, the decision to hire a car accident attorney in New Mexico is up to you. There are distinct advantages of hiring one versus going self-represented or with a general practitioner.

REQUEST A FREE

# CLAIM EVALUATION

Before committing, you should take advantage of a free case strategy session. You can address the questions mentioned in this guide, plus additional concerns you may have.

Reach out to Marc Grano at Grano Law Offices, P.C. to get the conversion started at no cost to you today. You are warmly invited to call me at (505) 426-8711 or [send me a message here](#).

**Contact**



# CAR ACCIDENT INJURY CASE NOTES

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