

Recovering Damages for a Pedestrian Injury: Your Legal Rights

In Myrtle Beach, South Carolina, the risk to pedestrians is alarmingly high, with transportation data indicating a significant portion of traffic accidents resulting in pedestrian injuries. The state's recent year's figures paint a concerning picture: 5,030 people died, and 14,871 suffered serious injuries over five years, with a considerable number of these incidents involving pedestrians. But it's not just the rush of cars that pose a threat; slip and fall incidents are equally concerning, adding another layer of risk to those simply navigating their daily lives on foot.

The aftermath of being involved in a pedestrian accident, whether struck by a vehicle or a victim of a slip and fall, extends beyond physical injuries. It encompasses a maze of medical bills, lost earnings, and the daunting task of navigating legal systems to seek rightful compensation. This is where the expertise of reliable experts, such as [personal injury lawyers at Shelly Leeke Law Firm](#), becomes invaluable. With a specialisation that includes pedestrian injury and car accident cases, they bring a nuanced understanding of South Carolina's traffic and personal injury laws. This guide aims to illuminate the path for pedestrians affected by traffic accidents in South Carolina, highlighting the essential role of skilled legal representation in securing the compensation they rightfully deserve.

Understanding Pedestrian Collisions

Pedestrian incidents occur when a person on foot is hit by a car, bike, or other object. These accidents can result in injuries like fractures, head injuries, spinal cord damage, and even death. Despite drivers being expected to prioritise pedestrian safety, these accidents can still happen due to factors such as driver carelessness, distracted driving, speeding, impaired driving, or inadequate road facilities.

Getting Legal Counsel

If you are in the area and have faced this unfortunate situation, it's wise to seek advice from a knowledgeable Myrtle Beach personal injury lawyer specialising in such cases. They can assist you through the procedures and provide clarity on your specific circumstances based on their expertise. A competent attorney will explain the laws to your case and help determine the most appropriate steps forward.

Establishing Responsibility

To successfully seek compensation for injuries sustained as a pedestrian, it is essential to determine who is liable. Liability refers to the accountability of the party for causing the accident, which could be the driver of the vehicle or another entity responsible for maintaining safe road conditions.

Examining the Accident

Thoroughly investigating the accident is a vital step in establishing liability. Collecting evidence such as witness testimonies, police reports, photographs from the scene, and details about those injured can provide support for your case. Collaborating with an attorney ensures that all pertinent evidence is gathered before initiating any action.

Factors to Take Into Account

Violation of Traffic Laws

Identifying whether any traffic regulations were breached by the driver involved can serve as evidence when assigning fault.

Driver's Negligence

Evaluations focus on whether the driver failed to exercise a level of care at the time of the incident.

Comparative negligence

In some situations, pedestrians may bear some responsibility for their injuries. Compensation will then be adjusted according to "negligence" statutes that differ by jurisdiction.

Seeking Compensation

Successful claims arising from pedestrian injuries typically lead to reimbursement for damages incurred, including both losses and non-economic impacts. Economic damages typically include covering bills, lost income, rehabilitation expenses, and property repair costs. On the other hand, non-economic damages encompass aspects like [PTSD](#), pain and suffering, emotional distress, and the impact on one's quality of life.

Timeline for Legal Procedures

Navigating a pedestrian injury claim involves a process with time constraints determined by legal statutes. Seeking advice from a lawyer promptly after the incident is crucial to prevent forfeiting any rights due to missed deadlines. A legal expert can efficiently manage the paperwork and ensure compliance with all legal requirements within the stipulated time frame.

Settlement Versus Trial

Once responsibility is established and damages are properly evaluated, there are typically two routes to resolve the matter: settlement discussions or trial proceedings. Parties involved may opt for negotiations where settlement proposals are presented either by insurance companies or the at-fault party themselves. If an equitable agreement cannot be reached during negotiations, pursuing a trial might become necessary to secure compensation.

Dealing with Insurance Companies

In instances of pedestrian injury claims, the involvement of the party's insurance provider is pivotal in the claims process. Following treatment for your injuries, informing your insurance company promptly and initiating a claim without delay is advisable.

In addition, having a lawyer with expertise in personal injury cases can help communicate with the at-fault party's insurance company to ensure they are informed about the accident and start the claims process promptly. It's important to refrain from giving any recorded statements or agreeing to any settlement offers from insurance adjusters without seeking advice from your attorney. Legal representation will guide you in avoiding accepting a settlement that may not adequately cover your losses.

Conclusion

Pedestrian accidents can have impacts on victims both physically and emotionally. Knowing your rights following such an event is crucial for aiding recovery while pursuing justice and necessary financial assistance during difficult times. Collaborating with a personal injury attorney who specialises in pedestrian accidents increases your chances of obtaining compensation for your injuries. It allows you to concentrate on healing rather than navigating complex legal procedures alone.

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