



JACKSONVILLE BOAT ACCIDENT GUIDE

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

Edwards  Ragatz, P.A.

Personal Injury and Commercial Trials



Boating is a very relaxing activity to do on a nice day, but when things go awry, it can really mess with your normal daily life. Boating accidents can cause devastating accidents that could leave you in financial ruin. You may have a ton of medical bills. You may be unable to return to work, which will cause you lost wages and make it

even harder to pay those unexpected medical bills. After you read up more on your case, please do not hesitate to call our Jacksonville boat accident lawyers to set up a free case evaluation to go over the details of your accident and your legal options.

FLORIDA STATUTES OF LIMITATIONS

The statute of limitations is the amount of time within you are permitted to bring your boating accident claim to civil court. It is a hard deadline that, when missed, you cannot do anything about. Florida statute of limitations gives four years for personal injury cases including boating accidents to bring your claim in civil court. You should not wait those four years to hire an attorney. If you call on the last day of your statute of limitations, you will not be able to successfully bring your case. These take time to build into strong cases and we want to make sure we have plenty of time to do this. We highly encourage you to hire an attorney right away for that reason.

HOW COMPENSATION WORKS

We will always be working to get you the most possible amount of compensation, but you should be aware of the Florida pure comparative negligence rules that affect your ability to collect a compensation award when you share fault. The way it goes is if you are deemed from 1-99% at fault for the accident, then you will have a reduced amount of compensation. If you are 100% at fault for your accident, then you are going to be completely barred from receiving compensation. If you are 0% at fault, you will get the full amount of compensation

you are rewarded. These percentages are determined by the insurance companies. If you fall in the range of 1-99% at fault, your award will be reduced to reflect your fault. For example, if you are deemed 40% at fault – maybe you were operating the boat at unsafe speeds – and you are awarded \$100,000 in injuries, then your award will be reduced to \$60,000.

TYPES OF BOATING ACCIDENT INJURIES

Because safety protocol on a boat is more lax than a car, you are prone to more serious injuries when you are in an accident. The most common boating accident injuries include:

- » Broken bones and fractures
- » Head, neck, and back injuries
- » Internal organ damage
- » Concussion or contusion
- » Traumatic brain injury
- » Spinal cord damage

What you must do after your boating accident is seek medical attention. Whether it be immediately after the accident and you are rushed away on an ambulance, or you go to the emergency room, urgent care, or primary physician after you wait for the authorities to do some information collection. You need to get to the doctor right away so that you are not at risk of worsening your condition. You also should get medical attention immediately because if you wait, the liable party's insurance company may use that as a reason to claim you were not badly injured enough to require treatment or that your injuries came at a date later than your boating accident.

DO NOT TALK TO THE INSURANCE COMPANY

If you want to avoid one of the worst things you can do for your case, then do not give a recorded statement to the insurance company. They will be calling you shortly after your boating accident case to see if you are willing to give them a recorded statement. This is not something you care going to be obligated to give. You don't need to pick up the phone when they call you. The best thing you can do is hand over all communication with the insurance company to your attorney. They will know how to deal with the questions they have without putting you in the wrong.

FREQUENTLY ASKED BOAT ACCIDENT QUESTIONS

How Do I Pick the Right Attorney?

I had a client who call me the other day who wanted to know how to best select a boat accident attorney. One of the most important things is to retain an attorney who sticks with your case from start to finish. They need to be able to understand the injuries all the way into how it's affecting your daily life. That attorney can then use that knowledge as an effective negotiating tool when talking to the other side.

Ultimately, if we have to go to trial – and, as trial lawyers, our firm will take it from start to finish – those are the types of things we would talk to a jury about. If you have different attorneys that are hopping in and out of your case, they will not have a good understanding or a good relationship to be able to share that story with a potential jury, which we can do here.



What Mistakes Should I Avoid Making?

I had a client call me the other day who wanted to know some of the common mistakes that are made in a boating accident case. One of the most important things is that they don't get treatment for their injuries or they wait to get treatment for their injuries. Days pass before they go to the hospital, before they get evaluated by a doctor, and that becomes a negotiating tool by the other side to argue that you're not seriously injured.

Another common mistake is that people post information about the accident or what they've done after the accident on social media – Twitter, Facebook, Instagram. When a defense attorney gets notified of a claim, one of the first things they do is get on social media and try to find out any type of information they can about that person. If that person went out and walked on the beach after an accident, they're going to use that information to say, "Well, that person walked 15 miles that day, so obviously they weren't injured," just because there's a picture on social media. We try to get our clients to temper the amount of information that they're sharing on social media.

The next thing is to retain an experienced trial lawyer right away who can take your case from beginning to end. Choosing the right attorney can help relieve your burden as a client and help you navigate through these potential issues.

How Do I Get Compensation?

I had a client call me the other day who wanted to know what types of damages or recovery are available after a boat accident. When it comes to a boat accident claim, the things that we're looking at, as far as what can be recovered, are the extent of your injuries, what type of injuries you have, and the medical bills. We're looking at your past medical bills, the medical bills for what you're currently treating for and any future medical bills related to the accident. Future medical bills are very important, especially depending on how significant your injuries are.

We take the time to meet with your physicians to get an idea of what those monetary values are. We compile all that information and put a value to it. Once we have that, then we can start the negotiations with the other side to see if we can potentially settle your case or if we have to go trial.

Who is Liable for My Accident?

Living in the state of Florida, boating accidents are a way of life, unfortunately. We often get calls from people who have been in a boating accident and they want to know who can be held accountable for those injuries. One of the first things that I have to do, obviously, is get into the facts because there are a lot of different people that can be liable. Was it a boat-on-boat collision? Was there a dock that was sticking out in the water that caused one boat to swerve and hit another boat? It could be a claim against an adjacent homeowner who owned the dock. It could be a claim that somebody was boating while under the influence.

There could be many different aspects at play, and you need an attorney who is familiar in all aspects of litigation so they know who to go after to get an insurance disclosure letter out. The attorney will hire an expert to take pictures of the scene and aerial photographs of where the accident happened. There could have been something protruding from the water. There are many things that we don't know.

It's important in a boating accident case, once you get treatment for your injuries, to call an attorney who has done these types of cases before, and get that attorney working on that case to investigate and figure out all aspects of liability so that you can receive maximum compensation.



Should I Give a Recorded Statement?

Here in the state of Florida, we get calls all the time from people who have been injured in boating accidents. Oftentimes the first question that they ask me is, "Should I talk to the insurance company of the person who was at fault in causing the boat accident?" What I always tell them is no, you shouldn't.

One of the reasons is that that insurance company representing the person at fault for the accident has much more experience in these types of claims than you do. They are going to try to get you to commit on the record, on a recorded phone call, something that could hurt your case later.

When I get a call from somebody that's been involved in a boating accident, I tell them, number one, get medical treatment; that is the most important thing because we want to make sure that you're okay.

Number two, get an attorney that knows boating laws. Do not speak to an insurance company without consulting with your attorney first or without having that attorney on the phone with you. The insurance company will try to trick you. They have gotten very good at it. They do this every day. This is probably the only time in your life you will ever experience this. You need somebody on your side that knows how to navigate these issues and knows how to help you.

How Long Will My Case Take?

I had a client call me the other day who had recently gotten injured in an accident on a boat and he wanted to know how long it was going to take for his case to resolve. My answer to him was it depends. It depends on how long is needed to treat those injuries. I would never try to resolve a case prematurely because that takes money off the table to pay for medical bills. Therefore, I have to make sure that my client is at a place where they're at maximum medical improvement. That is my cue to start negotiating with the other side to see if there's a value between the two parties where we can settle the case or if we have to go to trial, which we're happy to do, as long as it's in our client's best interest.

CALL OUR FLORIDA BOATING ACCIDENT LAWYER TODAY

If you are feeling stressed and overwhelmed, know that we understand that feeling and want to help you. You should make getting better your main focus and we will make your legal business our main focus. We will work to protect your rights to full and fair compensation, collect any and all evidence, speak to witnesses, and litigate your case to success if need be. Do not hesitate to call our Florida boating accident lawyer today to set up your free initial consultation. We will guide you every step of the way.

PREPARED BY EDWARDS & RAGATZ, P.A.

Tom Edwards and Eric Ragatz have worked together for more than 10 years, and between them, they bring decades of experience to every case. Tom is a Board Certified Civil Trial Lawyer, the highest specialty recognition given to lawyers handling injury and death cases and has the highest rating of AV by Martindale-Hubbell, a national attorney rating service. Eric has represented many injured clients in complex personal injury, medical malpractice, nursing home abuse and product liability cases, and has the highest rating of AV by Martindale-Hubbell.

This experience, and the personal devotion to clients and the relentless commitment to pursue justice, is why Edwards & Ragatz, P.A. is recognized for excellence in the Jacksonville area, and throughout the state. We are a dedicated team of various fields of expertise that serve clients with compassion and the utmost professionalism, making us one of the most trusted law firms in Jacksonville. From seasoned trial lawyers to paralegals and registered nurses, you can rely on the Edwards & Ragatz, P.A. team to deliver the comprehensive service and personal care your case deserves.

If you find yourself in an unfortunate situation and need medical malpractice lawyers or a personal injury attorney in Jacksonville, we will use our legal experience and vast resources to get fair compensation for your injuries. Together, we'll put the law on your side.

Edwards  Ragatz, P.A.

Personal Injury and Commercial Trials