



Frequently Asked Questions

Personal Injury Resource



Here are answers to common personal injury questions. If you have a question that is not in this list, or would like specific information in regards to your injury, or a loved one's injury, please contact us for a free consultation.

When should I hire a lawyer?

You should hire a personal injury lawyer as soon as possible after you are injured. In some cases, you must send a notice letter within a few days of the accident or you may lose your right to sue (see time limitations). Evidence may be lost or forgotten and witnesses may move away or forget what they saw, so the sooner you retain a lawyer, the stronger your case is likely to be.

We can also help you deal with your insurance company and can inform you about benefits your insurance company may not discuss with you. If you are in hospital or unable to leave your home, a Hooper Law team member will come to you.

Why Hooper Law?

Our team is made up of experienced personal injury lawyers who have successfully won compensation for hundreds of clients. Our personal, knowledgeable and caring approach will help you through the legal process and make sure you are informed every step of the way. We have an excellent reputation as trial lawyers and will fight to get you the compensation to which you are entitled.

What are your fees?

In most cases, fees will be charged on a contingency basis. In other words, there is no charge for our services until you receive compensation. The fee is normally a percentage of your final settlement.

The fee arrangement is set early on in the process and does not change, no matter how many calls and meetings take place – so please feel free to call and ask any questions you have about your case. You may be asked to contribute to your disbursements.

Our initial consultation with you is free.

Do I have a strong case?

Before we can answer this question, we will need to meet with you and learn the specific facts of your case. Please contact us for a free consultation.

How much compensation will I get?

Each case is different and the amount of compensation you could be entitled to depends on your type of injury and impairments you suffer, for how long, etc. We will be able to give you a range

once we review your information and become familiar with your case, but predicting a specific number at the very outset is almost impossible.

If your case is going to be settled before trial, we will at some point be recommending a figure that is reasonable for you to accept in settlement. You will decide whether or not to accept and provide us with your instructions.

How long will it take to settle my case?

The length of time to resolve a case depends on who you are suing and the nature of your case. Most motor vehicle collision and slip and fall cases take two to four years to resolve. We can give you a better idea of how long it will take to settle your case once we know the specific facts.

If I hire a personal injury lawyer, will I have to go to trial?

Probably not. More than 90% of personal injury cases are settled before trial. Many are resolved through mediation. However, we are experienced trial lawyers with a 98% success rate in court, so if your case does go to trial we will be able to get you the best possible result.

What should I bring to my free initial consultation?

At the initial interview, we will aim to find out as much as possible about your case so we can give you the best advice available, including asking you about your:

- Work history
- Family history
- General background
- Previous medical conditions

Please bring all the notes and documents you have to the interview – for example, expense receipts and police report, insurance and medical reports. Write down the details of the incident and your injuries, in as much detail as you can. All your information will be kept strictly confidential. If you do not have some of these documents at the time of our first meeting that is also okay, just bring what you do have.

Will you help me fill out the forms?

Yes. If you are in an automobile collision there are several forms that need to be completed before accident benefits can be paid. We can help you with those forms at your free initial consultation.

What should I do if the insurance company calls?

After you have reported your accident to your insurance company, if your insurance company wants you to talk to an adjuster, you should be aware that anything you say will go on file and could affect your future claims. Do not speak to the adjuster if you are in hospital or otherwise medically unable to do so.

Get legal advice and know your rights before you talk to the adjuster. We will be able to tell you which benefits you are entitled to and help you get those benefits. We can also accompany you if you meet with the adjuster.

My insurance company says I don't need a lawyer. Is that true?

It is in the insurance company's interest to tell you not to hire a lawyer, because it means you are not fully informed about your rights and it can potentially pay you less. We will make sure you are receiving your full entitlement of benefits from your insurance company, and will also help you sue the person responsible if you have been injured in an accident.

What should I do if the insurance company terminates my benefits?

Contact us as soon as possible. We will be able to find out what benefits and compensation you are entitled to, and will fight to get them for you.

If I make an accident benefit claim, will my insurance premiums increase?

The insurance company cannot legally increase your premiums if you make an accident benefit claim and you are not at fault (if you are at fault, your premiums may increase).

If you are in any doubt, please contact us and we will be able to deal with your insurer on your behalf.

What should I do if I can't return to work or take care of my children because of my injuries?

We will be able to advise you on the different options available to you, such as income replacement benefits and caregiver benefits. We will negotiate with your insurance company to get you the best possible coverage for your particular needs.

What if the accident happened while I was working?

Your claim should be pursued either through your insurance company or through the Workplace Safety Insurance Board (WSIB). Contact us to find out which option is the best for you.

Does 'no fault' insurance mean I can't sue?

No. If your injuries include a serious and permanent impairment of an important physical, mental or psychological function, you may be able to sue the other driver. Please contact us for a free, no-obligation initial consultation and to find out more.

'No fault' refers to the benefits included in your insurance. They apply to anyone injured in an accident and are part of every car insurance policy in Ontario. If you have been injured, even if you are at fault, you may be entitled to Statutory Accident Benefits (see motor vehicle accidents). We will be able to help you through the application process and protect your rights.

Can I sue the other driver if I was driving without insurance?

No. If you were knowingly driving without insurance, you cannot sue the at-fault driver. However, you can still claim certain Statutory Accident Benefits.

What if a seriously injured person is unable to make decisions?

If a person is incapacitated because of their injuries (in a coma, for example) and is unable to make decisions, someone else can be appointed by the Court to make decisions on their behalf.

I have been involved in a car crash. What should I do?

DO:

- Get the name and address of all the owners and drivers involved
- Take down the license plate details of the other owners and drivers
- Get the name and policy number of the other driver's insurance, if an out-of-province vehicle is involved
- Get names and phone numbers of all witnesses
- Make notes about how the accident happened
- Take photos of the scene, your car and your injuries
- Inform the police, your insurance company, and your employer or school
- Contact us to make sure you know your rights

DON'T:

- Admit fault for the accident
- Talk to the insurance company or sign anything before contacting us
- Ignore signs of injury or pain – see your family doctor immediately

Contact us today for your free consultation.



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