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Can You Win a Mental Injury Claim?

Proving a mental injury can be very difficult. Unlike a physical injury, there are no X-rays or broken bones you can point to. Instead, you may have to rely on experts to help prove that your injuries are real. As a result, it can be very difficult to win a mental injury lawsuit. Some factors that help determine your ability to win a mental injury claim include:



1. Defendant's Responsibility. Situations where the defendant is clearly in the wrong will help your case.
2. Whether There are Physical Injuries. If you suffer physical injuries in addition to the mental harm, this can help prove the existence of mental injuries.
3. Nature of the Defendant. Corporations in a known dangerous industry may owe greater duty of care than private individuals.
4. Treatment. Treatment sought from medical professionals can help prove your mental injury claim.

Getting Lost Wages in an Injury Claim

Many individuals hurt in a car accident do not realize that they can collect for their lost wages in addition to medical costs. For example, if you are injured in an accident and are unable to work for three months, you may be able to collect for your lost wages during this time. In addition, if you suffer permanent injuries that leave you unable to work at your full capacity, you can collect damages for this future period of time as well.



To help prove a claim for lost wages, you will generally need to show:

1. Amount of time that you are unable to work
2. Salary you would have made during this time not working
3. Any sick leave or vacation time you may have accrued
4. Effect of not working on promotions and salary raises
5. Missed overtime and bonuses

How to Prove a Slip and Fall

While the facts in your slip and fall case may be different, you still have to prove certain elements to win your claim. Generally, the legal elements of a slip and fall include:

1. Victim. You must prove that you are the victim of an accident. This means that you will have to be credible at trial.
2. Hazard. You will need to show that the property owner allowed some hazardous condition on the property that caused the accident.
3. Injury. You will need to show that you actually suffered some harm.
4. Causation. A link will need to be established between the hazardous condition and injury.
5. Notice. Property owners generally need to have some notice of the dangerous condition, or the condition must be obvious.
6. Duty. The defendant must have owed a duty to keep the premises safe.



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