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How a Permanent Injury Can Impact Settlement

A "permanent" injury can increase the amount that you can collect in a settlement or judgment of a personal injury case. If you suffer a permanent injury or permanent disability, you can expect to collect a substantial amount to compensate you for your loss as compared to transient or minor injury.



In fact, most states provide special jury instructions regarding valuing permanent injuries. There are many different types of permanent injuries that an individual may suffer through the fault of someone else. Some common types of injuries where an injury attorney can help you include:

1. Scarring

2. Disfigurement

3. Burns
4. Loss of mobility

5. Loss of senses such as hearing or vision

6. Nerve damage

Permanent injuries are also oftentimes more obvious than other types of injuries. As a result, juries will more likely award a higher damage amount.

How a Pre-Existing Injury Can Damage Your Case

You should be aware that a pre-existing injury can seriously damage your personal injury claim. A defense lawyer will look for pre-existing injuries to show that your injuries were not caused by the accident at hand. Some of the challenges associated with a pre-existing injury include:



1. Causation. Your goal is to show that the defendant caused your injuries. When you have a pre-existing condition, you introduce another variable that may have caused your injuries.
2. Aggravation. Oftentimes, someone with a pre-existing condition may claim an aggravation of the injury. Unfortunately, it can be very difficult to prove aggravation. For example, you may have had the condition for many years and do not have records that document the extent of your injuries.
3. Valuation. If you already have an injury, it can be difficult for a jury to value the incremental increase in pain.

How to Document Pain and Suffering for a Lawsuit

Pain and suffering can be very difficult to prove when making a claim for damages. Unlike a broken bone or other physical injury, there are no X-rays or other evidence that you can point to that exactly show how much pain and suffering you experience. As a result, you will need to follow some tips for documenting your injuries to help you collect:



1. Medical Records. Medical records can show your diagnosis and verify that you indeed suffered an injury. You will also want to document any treatment that you are undergoing.

2. Medication. Your use of pain-killers and other medication can make your pain more understandable. The length of time and dosage of your medication should also be recorded.

3. Physical Injuries. If your pain and suffering manifests itself into any physical injuries, you will want to note these and any limitations you experience.

Your case is important to us. If we can't help you, we'll do our best to refer you to someone who can.

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