

INSTRUCTIONS TO A PERSONAL INJURY PLAINTIFF

1. Please advise us of any change in your address and telephone numbers. We will need to contact you during the progress of your case and must know how to reach you. In some cases, events are scheduled on fairly short notice and so it is requested that you also let us know when you will be out of town on vacation or business for as little as two weeks. We, in turn, will keep you advised of events as they occur.
2. Be sure to give us the names, addresses and phone numbers of witnesses to the event which caused your injuries, and of witnesses to the effects those injuries have had on you.
3. If your injury will cause you to lose income, please keep track of the time lost and how the dollar amount lost is calculated.
4. Keep track of your medical expenses for this injury, and send us copies of your medical bills. Please also advise us whether the bills have been paid, and by whom.
5. Report to us any change in your health or in the doctors you are seeing.
6. Beware that the defendant may hire an investigator to follow you, or even to surreptitiously film you, in order to impeach your description of the effects of your injury. A classic ruse is to flatten the tire of a plaintiff with a back injury who contends he can no longer lift heavy objects, and then film the plaintiff lifting the spare out of the trunk, jacking up the car, and changing the tire, all in an effort to show that the injury has not been as limiting as claimed.
7. Do not talk about this case with others aside from employees of this office and your spouse. Communication with this office and your spouse are protected from disclosure to the defendant(s) by the attorney-client and husband-wife privileges, respectively. Communications with others are not privileged.
8. When speaking to your doctors about your injuries be as accurate, detailed and honest as you can be. Your comments will end up in the doctor's chart, and will be available to the defendant(s). Under-reporting of your injuries to your doctor may be used to impeach detailed statements made in the course of the case. Over-reporting of your injuries may suggest to your physician that you are more concerned about making a recovery than getting well.
9. Please keep a diary of the effects of your injury. The diary has two purposes. First, it will inform us of your injuries and their effect on you. Second, it may prove to be a helpful tool in refreshing your recollection as time passes. You should beware that the defendant(s) in your case may look at the diary if it is used to refresh your recollection. Therefore, it is important that you keep this diary physically separate from any business or personal diary you may already be keeping. Please keep the diary confidential. If at any time you have a question about how the diary should be completed, or a question concerning what should go into the diary, please contact us and we will be happy to discuss it with you.