



SLIP AND FALL ACCIDENTS (WHAT TO DO?)

By David E. High, Attorney-At-Law

Many people are injured every year in slip and fall accidents. Premises liability claims are common in the court system. Just because you are injured on someone else's premises does not make them liable. They are only liable if they are negligent. Some property owners have medical payment coverage that will cover your medical bills up to a certain amount without fault. Thus, if you are injured on the premises of another, it is always advisable to inquire if there is any medical payment coverage under their insurance policy. These medical payment coverages are generally capped at a low amount. In order to get anything over and above medical payment coverage, you must show negligence on behalf of the owner or occupier of the premises.

If you are injured on the premises of another, you should give prompt notice to them of the injury. You should promptly photograph any evidence. It is important that you photograph and document any existing dangerous conditions. If you fail to do so, the substance on the floor or other dangerous conditions will be removed and gone without you having this evidence. You should obtain the names of all witnesses and premise owners and/or employees that you discuss the matter with. You should make sure an incident report is prepared. If you have a serious injury, such as a broken bone or one that necessitates surgery, you should promptly seek legal advice. In Tennessee, we have a one-year statute of limitations, so you should seek legal advice promptly. Legal counsel can make sure that additional evidence such as videos of the accident scene from surveillance cameras are preserved. If you delay in seeking counsel, those videos may not be available later.

If you are injured on the premises of another, it is very important that you receive prompt medical care. If needed, call an ambulance to the scene. Even if you don't require an ambulance, after you photograph the evidence, obtain all the names of the witnesses and contact persons at the premises, you should proceed to get medical care that day.



It is advisable that you do not give a recorded statement to the insurance carrier for the premises. As noted below, the insurance company will invariably attempt to place comparative fault on you, so it is important that you not give any statements about the events and that you promptly employ counsel.

Tennessee is a comparative fault state. In slip and fall cases, they always try to allege comparative fault of the injured party. If they can show the court that you have some percentage of fault, this can reduce or eliminate your recovery. If you are 50%, or equally at fault, you receive nothing. If you are less than 50% at fault, you receive pro-rata damages. For instance, if your case is worth \$100 and the court finds that you were 25% at fault, you receive \$75. If the court or jury finds you are 50% or more at fault, you get zero.

Free Consultation

In Tennessee, if you fail to file suit within one year of the incident, then you lose all of your rights of recovery. Therefore, you need to act fast and hire an experienced attorney. At High Law Office, PLLC, we can assist you in having your potential claim evaluated. This can be done on a contingent fee basis, "No Recovery, No Fee," where you are not charged any fees or expenses unless you have a recovery. If you or your loved one received a serious slip and fall injury, we would certainly like to speak with you promptly. Schedule a free consultation with High Law Office, PLLC, at 615-256-1000, or visit us online at www.HighLawOffice.com. Remember, "No Recovery, No Fee!"

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David E. High, Attorney-At-Law

David E. High graduated at the top of his class at Nashville School of Law in 1980, graduated with High Honors from the University of Tennessee, Knoxville, and has over 34 years of trial experience. He is a member of the Multi-million Dollar Advocates Forum and has been included in The Best Lawyers in America for over 20 years, Mid-South Super Lawyers, and the Bar Register of Preeminent Lawyers. Mr. High will review your personal injury case without charge and handle your case on a "No Recovery, No Fee" basis.



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