



HAVE A SERIOUSLY INJURED CLIENT?

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Personal Injury

Accident victims should seek legal advice promptly

By Kirsten McMahon, Associate Editor



In the first instalment of a two-part series, Windsor personal injury lawyer Gino Paciocco discusses what steps to take if you have been injured in an accident.

If you have been injured in a slip, fall or motor vehicle accident, it's recommended that you seek legal advice and medical treatment as soon as possible, Windsor personal injury lawyer [Gino Paciocco](#) tells [AdvocateDaily.com](#).

Under Ontario's *Limitations Act* a person has two years to file a personal injury claim, but Paciocco, a founding partner with [Paciocco & Mellow](#), recommends meeting with a lawyer long before that deadline.

"If you have been in a car accident, for example, a lawyer can help explain the process and assist with obtaining the accident benefits that you are entitled to," he says.

If you have been injured by a slip or fall on municipal property, Paciocco says time is of the essence.

"In certain circumstances, the municipality has to be put on notice within 10 days of the incident occurring," he says. "Failure to do so within the prescribed notice period could forfeit your opportunity to claim."

It is wise to take pictures of your injuries, any damage to your car or the location of the accident as soon as possible. It is a good idea to document the locations where you sought treatment — hospital, clinic, physiotherapist etc. — as your lawyer will need to obtain records to establish your injuries.

"It is also important that you tell the medical professional that you were in an accident — do not just treat it like any other routine checkup with your doctor," Paciocco notes. "Advising of how and where you were injured contemporaneous to the incident will take away any causation arguments that the opposing side may suggest if there is no mention of the incident or if a lapse in time is found in the records."

What you don't need are actual copies of your medical records. He says your lawyer will help you obtain any documentation or evidence you may need.

Once you have contacted a personal injury lawyer, your first meeting with them will most likely be a casual conversation, Paciocco says. The meeting will be focused on you, your injuries, the accident and how it has affected you.

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“It’s crucial that you answer all of these questions truthfully and to the best of your ability,” he says. “Your lawyer is trying to evaluate whether or not you have a case and can only do so if they have all the information.”

You should also bring a piece of identification so your lawyer can verify your identity. At this time, they will likely perform a conflict check to ensure working with you does not conflict with representing any current or former clients.

“You should bring any evidence you have accumulated such as pictures or a motor vehicle accident report,” Paciocco says. “This type of information is helpful but don’t panic if you don’t bring it to the first meeting.”

Stay tuned for part two where Paciocco will explain the different damages, settling and litigating, as well as contingency fees.

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