
If you are currently dealing with a personal injury claim you have certainly asked yourself this question. Although some aspects of the economy are starting to open back up – gradually – things will not be back to normal for the foreseeable future.

What does that mean for your personal injury case?

Will My Personal Injury Case Be Impacted by COVID-19?



COURT HOUSE

It's been announced that jury trials in Florida are delayed until at least July 2020. There's also a possibility that courts may go on hiatus again this winter if the COVID-19 flareup is particularly severe. If you have one of the relatively rare cases that actually makes it to the courtroom for a jury trial, chances are you will have to wait until this summer or later, especially if there are several cases on the docket ahead of yours.

<https://www.law.com/dailybusinessreview/2020/05/05/florida-state-courts-extended-coronavirus-outage-into-july/?slreturn=20200422131249>

Court Closures in Florida

Although most personal injury cases don't go to trial, many do have at least one courtroom hearing before a settlement is reached. If your case needs a hearing to move forward, progress could be delayed by COVID-19. The good news is a hearing doesn't require a jury, and some hearings are being done virtually.



Hearings May Also Be Delayed



Negotiations between your personal injury lawyers and the insurance companies can continue as long as your personal injury attorneys and the insurance company's representatives are able to work remotely. Some aspects of negotiation had been delayed due to stay at home orders, but the majority of these discussions can move forward with all the parties social distancing at home or in their offices.

Settlement Negotiations with Insurance Companies

There are a number of legal or case-related processes that can be carried out over the phone or via virtual conferences, including:

- Negotiations
- Depositions
- Hearings with Judges
- Arbitrations
- Mediations



Personal Injury Processes that Can Be Performed Remotely



There is an often-overlooked variable that needs to be factored into the analysis of COVID-19's impact on personal injury claims – the disposition of insurance companies. When things are good for the insurance industry, companies are sometimes more accommodating in terms of reaching equitable settlement agreements that are fair to the injured party.

If business is bad, like now during the coronavirus pandemic, insurers could be more likely to put up a fight.

Will COVID-19 Make My Case Harder to Win?

Delaying tactics are a common tool used by insurance companies during settlement negotiations. The insurance company knows that even if you were able to work after your injury, COVID-19 may have forced you out of a job. They know how much injured people need money as soon as possible to pay their medical expenses, rent, bills and to put food on the table. Plaintiff desperation can be powerful leverage for insurance companies during negotiations.



The Insurance Company Knows COVID-19 Will Delay Your Trial



If you have suffered an accident injury due to someone else's negligence, it's still vitally important to seek treatment right away. It may be difficult to have some elective procedures performed – including orthopedic surgeries – but you should still seek medical care to ensure your injuries and the costs of your treatments are documented for your personal injury case.

Don't Neglect Medical Care

Yes – we consider the work we do to be vital to our clients and have taken measures to remain open while safeguarding the health of our staff and the people we serve. We are offering telephone appointments and virtual conferences to keep our clients apprised of their case progress and are working with local courts to find solutions to keep our clients' cases moving forward.



Is Kanner & Pinaluga Still Open?