

How to Prove Fault in a Car Accident Advice From Your South Florida Car Accident Attorney

Car accidents are the most common source of personal injury actions in the United States. As a result, your South Florida car accident lawyers know that it is highly likely that you or someone in your life will be involved in a car accident that leads to personal injuries at some point. In car accident cases that have resulted in injury, proving fault is essential to recovering any type of damages from the responsible parties.

Defining Fault

In the state of Florida, as in many states, the law of negligence governs who is at fault for a car accident. The law places the fault on the party or parties who acted negligently, or carelessly, in causing an accident. Generally, a driver has a duty to use reasonable care in operating a vehicle. If the driver fails to use reasonable care, a negligent act has occurred. A finding of negligence will make a party responsible for repaying any damages to the victim or victims who have suffered property damage or personal injuries.

Collecting Evidence to Prove Fault in a Car Accident

Evidence of fault is the key to showing that you are entitled to damages that you have suffered in a car accident. In the early stages of your case, you will present this evidence to an insurance adjuster by making an insurance claim with the insurance company of the party that you believe is at fault for the accident. If you are unable to reach a settlement amount, your only option is to file a personal injury lawsuit against the responsible party or parties. In the event that you become involved in a personal injury lawsuit, evidence of fault will become even more crucial. Common examples of evidence that can assist in proving fault in a personal injury case include the following:

- The police report completed by law enforcement officials;
- Any witness statements taken following the accident;
- Medical bills and documentation of any other medical expenses that you incurred due to injuries sustained in the accident;
- Any photographs taken of the accident scene and damages to your vehicle; and
- Written documentation of your lost wages or income due to your injuries.

The more evidence you have showing that another party was at fault for the car accident, the better your chances of recovering the damages to which you are entitled.

When You Are Partially at Fault in a Car Accident

Florida is a comparative negligence state, which means that a party who has been involved in a car accident in Florida may be partially at fault, but still may be able to recover damages for injuries. Even if you are more than 50 percent at fault for an accident, you may still be able to recover some damages. The percentage of your fault for your car accident will reduce the amount of any damages award that you receive by that same percentage.

Your South Florida car accident lawyers want you to be aware of your rights and responsibilities with respect to fault if you are injured in a car accident. For more information, call your [South](#)

[Florida auto accident attorney](#) at Reifkind & Thompson, P.L., at 1-800-329-8701 or email us at eliot@rntlaw.com. We handle [auto accident cases](#), [auto insurance](#) legal issues and more. You also can visit our website at www.rntlaw.com.