



Time sneaks up on people after a crash. You are juggling medical appointments, a disabled car, lost [lawyer](#) work, and a steady drip of paperwork from insurers. Weeks turn into months. Then you hear someone say you have two years to sue, so there is no rush to hire a car accident attorney. That advice is only half right, and the missing half can cost you real money.

Several clocks start running the day of a car accident. The statute of limitations to file a lawsuit is one of them, but not the only one that matters. Insurance policies set strict notice and proof-of-loss deadlines. Evidence disappears, sometimes within days. The sooner a car accident lawyer gets involved, the more of those problems you can head off, and the more leverage you have when it is time to resolve the claim.

## **The three clocks that matter**

People focus on the legal deadline to sue, and they should, because missing it kills a claim. But two other timelines shape outcomes just as much: contractual deadlines in insurance policies and the physical lifespan of key evidence.

First, the statute of limitations. Every state sets a filing deadline for personal injury and property damage. For injury, many states give two years. Some allow three. A few cut it to one. Miss it, and courts will dismiss the case, no matter how strong your facts.

Second, insurance policy requirements. Most auto policies require prompt notice, cooperation with the investigation, and in some cases a formal sworn statement or medical authorizations. No-fault benefits, like Personal Injury Protection, carry even tighter timelines set by statute.

Third, the evidence clock. Tow lots scrap vehicles. Insurers sell totaled cars at auction. Businesses loop over surveillance footage in seven to thirty days. Event data recorders on vehicles often get wiped when a car is repaired or resold. Skid marks fade with traffic and weather. The longer you wait, the more you fight on memory and the less you can prove with documents, data, and images.

A seasoned attorney, hired early, manages all three. That does not mean you must rush to file a lawsuit before you know your medical status. It does mean you should bring counsel into the process while the trail is still warm.

# The statute of limitations, at a glance

The filing deadline to sue after a car crash depends on the state, the type of damage, and sometimes the identity of the defendant. Injury and wrongful death often have one period, property damage another. If a government entity is involved, an extra layer of notice, often much shorter, applies.

Here are common time frames as of mid-2026. Always confirm current law in your state and for your facts.

State | Bodily Injury (Typical) | Property Damage (Typical) | Notes --- | --- | --- | --- California | 2 years | 3 years | Government claims require an administrative notice within 6 months for injury. New York | 3 years | 3 years | No-fault application typically due within 30 days; municipal notice of claim often 90 days. Texas | 2 years | 2 years | Shorter pre-suit notice may apply for government units. Georgia | 2 years | 4 years | Loss of consortium has separate timing; check facts. Florida | 2 years (current general negligence) | 4 years | PIP medical treatment within 14 days to unlock benefits. Illinois | 2 years | 5 years | Local government tort immunities impose special rules. Colorado | 3 years for auto injury | 3 years | Other personal injury is 2 years, but auto cases get 3; verify particulars. Tennessee | 1 year | 3 years | One of the shortest periods for injury. Louisiana | 1 year | 1 year | Prescription period is tight; act quickly. Oregon | 2 years | 6 years | UM/UIM notice terms can be strict under the policy.

This table does not capture every wrinkle. Wrongful death can follow a different timetable than injury. Cases involving minors or people who lack capacity may be tolled for a period. Defendants who leave the state or conceal themselves can pause the clock in some jurisdictions. And product liability claims against a vehicle manufacturer may have their own statute and a statute of repose that can bar claims after a fixed number of years regardless of discovery.

A practical takeaway: the statute of limitations sets your final outer boundary to sue, not the date to begin working with an attorney. If you want a lawyer to have full room to investigate, negotiate, and, if necessary, file, do not aim for the last months of that window.

## Special situations that shorten the runway

Government entities. If a roadway defect, a city bus, or a county vehicle is involved, administrative notice requirements can be as short as 90 days in places like New York or six months in California. This notice is not the lawsuit. It is a prerequisite to keep your right to sue alive. Miss it, and the later lawsuit can fail even if filed within the standard two or three years.

Minors and incapacitated adults. Many states toll the statute of limitations while a person is under 18 or lacks capacity, then give a fixed period after turning 18 or regaining capacity. That sounds generous, but critical evidence does not wait for birthdays. A parent or guardian should not delay hiring counsel.

Wrongful death. These claims often run on a separate clock, sometimes starting from the date of death rather than the date of the injury. The personal representative appointment can further complicate the timeline. If an injured person passes months after the crash, the deadlines may shift, and the estate needs quick guidance.

Unknown or hit-and-run drivers. Uninsured motorist coverage can fill the gap, but many policies require that a hit-and-run be reported to police within 24 hours or a similar short period, and that the insured notify the carrier promptly. Some states require corroborating evidence of contact or independent witness statements for a phantom vehicle claim. Do not wait to loop in your insurer and a lawyer if the at-fault driver is unknown.

Rideshare and commercial vehicles. Claims that involve multiple corporate layers, from independent contractors to national carriers, often move evidence faster than you expect. Telematics data, driver logs, dispatch records,

and dashcam footage cycle quickly. Early preservation letters matter.

## **Insurance deadlines that do not forgive delay**

Even when the law gives you two or three years to file suit, your own auto policy or the other driver's policy likely imposes earlier action. The phrases to watch for are "prompt notice," "as soon as practicable," and "within 30 days." Courts often enforce these, particularly for first-party benefits like PIP, MedPay, UM, and UIM.

No-fault and PIP states add hard deadlines. In Florida, you typically must seek initial medical treatment within 14 days of the crash to access PIP benefits. In New York, the no-fault application often must be filed within 30 days, and ongoing proof of medical necessity must arrive on time. Miss those, and you can forfeit benefits even if the other driver was clearly at fault.

Uninsured and underinsured motorist claims can require formal notice and sometimes arbitration filings by specific dates. Policies may require your cooperation with examinations under oath and independent medical exams. An attorney helps you comply without volunteering ammunition that weakens your injury case.

## **Evidence evaporates while you wait**

Fault is not fixed at the scene. It is proven with objective evidence, and that evidence has a shelf life. The list of items that need fast attention is long but predictable if you have handled enough cases.

Vehicles. After a total loss, insurers often move cars to storage, then to salvage auctions, within two to four weeks. If you need to download the event data recorder, inspect the brakes, or photograph intrusion zones before the car is crushed, you need a preservation letter out quickly. Without it, the vehicle can vanish before experts ever lay hands on it. Storage fees snowball as well, and carriers rarely volunteer to hold a car for your inspection unless you ask.

Scene and roadway. Skid marks fade with traffic and rain. Debris fields get swept up in a day. A traffic signal timing chart can change after a city recalibrates for school season. I have seen a simple early visit to the scene, with a few photographs and a check for nearby cameras, make a five-figure difference in settlement value.

Video. Corner stores and apartment complexes often overwrite footage on a 7, 14, or 30 day loop. City cameras and transit agencies may keep data longer, but you need to ask. Some entities require subpoenas or specific public records requests. The difference between a disputed red-light argument and a clean liability admission can be a 15-second clip saved in week one.

Medical timeline. Waiting weeks to see a doctor, either because you hoped the pain would fade or because you did not want to make a fuss, creates a defense argument that the injury is minor or unrelated. Adjusters harp on gaps in treatment. You do not need to flood clinics, but you should document symptoms promptly and follow reasonable medical advice.

Witnesses. People move. Phone numbers change. Independent witnesses who sounded clear two days after the crash can turn fuzzy two months later. It is human nature. A lawyer's investigator can lock down statements before memories drift.

## **What a car accident lawyer does early that you cannot do later**

A good attorney does not just write demand letters. In the first 30 to 90 days, the right moves set up the outcome months down the road.

Preservation. Counsel sends spoliation letters to tow yards, insurers, and businesses with cameras. Those letters are not magic, but they put a legal duty on recipients to hold key evidence. If they ignore it, your case gains leverage through adverse inference instructions or sanctions.

Investigation. An early scene visit, photographs, and a canvas for cameras and witnesses often catch details that police reports miss. In serious cases, an accident reconstruction expert or human factors specialist gets engaged before the trail goes cold.

Medical strategy. An attorney cannot play doctor, but can help you find the right specialty and keep clean records. Spine complaints need imaging at the right intervals. Concussion symptoms need documentation from providers who know how to chart cognitive effects. If you wait six months to mention headaches, you invite skepticism.

Insurance choreography. Adjusters push for recorded statements, broad medical authorizations, and quick releases. An attorney filters those requests and times cooperation to avoid self-inflicted wounds. In UM or PIP claims, counsel helps you meet policy conditions without giving up rights.

Valuation and liens. Hospitals, health plans, and government payors may assert liens against your recovery. Early attention prevents surprise deductions later. Your lawyer also tracks wage loss, out-of-pocket expenses, and the practical impacts of injuries, which matter when quantifying non-economic loss.

## **How long can you wait to hire a lawyer?**

If you want a simple rule that fits most cases, hire a car accident attorney as soon as you have these three signals: ongoing symptoms past a few days, fault that is disputed or unclear, or any concern that the insurer is minimizing your claim. For many people, that means within the first week to month after the crash. You do not need to wait for full medical recovery before bringing a professional on board. In fact, the pre-recovery period is when the most avoidable mistakes happen.

Could you wait six months and still be fine? Sometimes, yes. If your injuries were minor, you completed treatment in a few visits, and the liability picture is clean, you might settle a small claim directly. But even in small cases, a quick consult can prevent missteps, like signing a release before you discover that your nagging shoulder pain needs an MRI.

At the other extreme, I have taken cases within weeks of the statutory deadline and filed suit the same day. It is possible, but it is not ideal. By then, evidence is gone, insurers are dug in, and you have to sprint through tasks that should be paced: expert reviews, lien audits, and venue analysis. The outcome usually reflects that rush.

## **When delay is understandable, and what it costs**

Not every delay is avoidable. Military deployment, a long hospital stay, or caring for an injured child can push legal tasks aside. The law recognizes some of that through tolling doctrines for minors and incapacity. Judges rarely forgive missed insurance deadlines the same way, and no one can rewind a salvaged car.

The cost of delay often shows up in close cases. In a rear-end collision with clear fault and acute injuries that resolved in a month, the difference between hiring a lawyer at week one versus month four may not be dramatic. In a side-impact crash with disputed signals and lingering back pain, the timing can swing outcomes by tens of thousands of dollars. That is not sales talk. It reflects how claims are built: through documentation, expert preservation, and a coherent narrative from day one.

## No-fault states and short-fuse tasks

In jurisdictions with no-fault systems, early action matters even if you never plan to sue. Florida's PIP 14-day treatment rule is a firm gatekeeper for benefits. New York's no-fault application deadline, often 30 days, is unforgiving. Insurers still ask for timely medical proofs and independent medical exams. A car accident lawyer who works in these systems every day knows the forms, the cadence, and the traps.

If your crash crosses state lines, your lawyer needs to map which rules apply. You might live in New Jersey, get hit in Pennsylvania, and treat in Delaware. Conflicts of law and choice of venue decisions have real consequences for deadlines and damages caps. Sorting that out is not a last-minute task.

## A practical, early-action checklist

If you are reading this in the first days or weeks after a crash, these simple steps keep your options open and give any attorney you hire a strong head start:

- Get medical evaluation within a day or two, sooner if you have head, neck, or back symptoms. Follow recommended care and keep all discharge instructions.
- Notify your own insurer promptly, even if you were not at fault, and avoid recorded statements to the other driver's insurer until you speak with counsel.
- Photograph vehicles, the scene, and your visible injuries. Save dashcam clips, and identify nearby cameras at businesses or homes for potential preservation.
- Ask the tow yard or insurer in writing to hold your vehicle for inspection before repair or salvage if there is any serious injury or questions about fault.
- Consult a local car accident attorney early. A short call can help you decide whether to retain counsel now or keep handling it yourself with guardrails.

## What if you already waited?

All is not lost if months have passed. A capable attorney will triage what remains: request claim and policy files, retrieve medical records, chase down any available video through public records requests, and interview witnesses while memories can still be refreshed with documents. You might still salvage event data if the car survived repair. In some states, you can pursue late no-fault benefits with good cause shown, though outcomes vary.

Be candid about the timeline and gaps. A good lawyer would rather hear that you tried yoga and over-the-counter meds for eight weeks before seeing a doctor than discover the gap later when an adjuster points it out. Expect some added lift on valuation to account for the weaker documentation. Strong advocacy still moves the needle.

## How hiring timing affects fees and net recovery

Most car accident attorneys work on contingency, a percentage of the recovery. Hiring early does not cost a higher fee. It often increases your net because it prevents missteps that reduce value and because a stronger file produces better offers. Lawyers who jump into a late case sometimes must spend more on rush expert work or absorb lower leverage in negotiations. Either way, you do not pay less because you waited, and you might end up with less in your pocket.

Fee transparency matters. Ask whether the fee steps up if suit is filed, how case costs are handled, and whether medical liens will be negotiated at the end. A car accident lawyer who explains the math up front helps you make a timing decision that aligns with your goals.

## **What to expect in the first 90 days with counsel**

Good attorneys do not follow a rigid script, but certain milestones appear in most cases. Within the first week or two, you will see preservation letters go out to tow yards, insurers, and businesses with potential footage. The lawyer will open all relevant insurance claims, including PIP, MedPay, UM, or UIM, and will control communication with adverse carriers.

By the first month, the team should have gathered police reports, scene photos, and identified witnesses. If injuries are significant, the lawyer might retain an expert to download event data or examine the vehicle. Medical records collection starts early, with careful attention to pre-existing conditions and the language providers use to connect injuries to the crash.

Between 60 and 90 days, a picture of liability and damages takes shape. If treatment is ongoing, the attorney monitors progress and adjusts strategy. In clear-liability cases with finite treatment, a demand package may go out within a few months after you reach maximum medical improvement. In contested cases, the lawyer may file suit to preserve rights and use discovery to flush out evidence the insurer will not share voluntarily.

## **Choosing a lawyer without losing time**

You do not need a month to interview firms. Focus on a few practical questions that cut to what matters:

- Does the attorney handle car accident cases as a core practice, not a side line?
- Who will work your file day to day, and how will they update you?
- How early do they send preservation letters and start the investigation?
- What is their approach to medical documentation and lien resolution?
- Will they file suit if needed rather than settling cheap to avoid litigation?

A short, substantive conversation answers these. If a firm is slow to respond, vague about process, or pushes you to sign without listening to your goals, keep looking.

## **The bottom line on timing**

Hire a car accident attorney as soon as it is clear your injuries are more than scrapes, or any time you sense that the insurer is steering you toward a quick, cheap resolution. For many people, that means within the first week or two. Waiting for "the right time" often turns into missing footage, a sold vehicle, and an adjuster who has already built a case against you. The statute of limitations may be years away, but crucial steps have much shorter runways.

You do not have to commit to litigation on day one, and a good attorney will not push you to. The real value in early counsel is control: of evidence, of the narrative, and of the deadlines that are hardest to fix after they pass. That control pays off when it counts, whether you settle in six months or take a case to trial two years down the road.

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## **FAQ About Car Accident Attorney**

### **Is it worth getting an attorney for a vehicle accident?**

Hiring a car accident lawyer in California does not guarantee compensation, but it can make a significant difference in how your case is handled. Many accident victims wonder, "is it worth hiring an attorney for a car accident" The answer in most cases is yes.

### **Can sleep apnea be caused by a car accident?**

Yes, a car accident can trigger or worsen sleep apnea, primarily through physical trauma to the neck, spine, and brain. While many assume sleep apnea causes wrecks, collisions themselves can also induce it.

### **What not to say to car insurance after accident?**

Stick strictly to basic facts—like when and where the crash happened. Never speculate about details, apologize, guess about your speed/distance, or give a recorded statement until you are ready.

The safest strategy is to avoid these specific phrases and topics when talking to any car insurance adjuster