



# OKLAHOMA BICYCLE ACCIDENT GUIDE

*Steps to Take After Suffering  
a Serious Injury*

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If you have been involved in a bicycle accident, you may be feeling immense pain and stress. It is not good to have a lot of stress about medical bills and lost wages while you are trying to heal; stress slows down the healing process. That is why we want you to call our Stillwater bicycle accident lawyer today so we can take

the stress of dealing with the insurance company off of your shoulders. We want to be a champion for your claim and get you compensation that you deserve.

## IMPORTANT FIRST STEPS

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The first thing you need to know after a bicycle accident is the importance of getting to a doctor and receiving medical care. There are a couple reasons why you need to do this. The most important reason is your own health. You do not want to go on with an undetected injury. There are certain injuries that you might not notice right away, or you do notice but you try to brush them off. They can turn into really awful conditions that affect you permanently.

Some injuries you may take some time to notice include:

- » Spinal cord injuries
- » Traumatic brain injuries, including concussion
- » Damage to internal organs
- » Neck and back injuries

You might think that it is impossible for you to have one of these injuries and not notice it, but it happens more often than you would think. For instance, if you had damage to your internal organs, you might first think it was a sore muscle from getting whipped around, but that pain progresses a day or so later and you're in immense pain. The same thing goes with neck injuries. What you declare as whiplash might turn up as a ruptured disc in your spine later on. For these reasons, it is so very important to get yourself looked at.

Injuries that you might notice immediately are:

- » Lacerations
- » Broken bones
- » Whiplash
- » Sprains and strains

Getting to the doctor to get a complete check out is not only of benefit to your health, it is a benefit for your case when you file it. Telling the doctor all of your symptoms is a way of officially recording your injuries so that later on, we can show the insurance company all of your injuries and the severity of them and that you have gotten or have been getting medical treatment for them. This will make your case stronger against the insurance companies who want to keep you from getting the compensation you deserve.

## AVOIDING MAKING CASE- RUINING MISTAKES

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Your biggest adversary is going to be the insurance company. They are not interested in your wellbeing or getting you back to fighting shape. They are most concerned with their bottom line. Because of that, they will take any opportunity they can get to either make you seem at fault for your accident, or claim that you aren't as injured as you say you are. Not going to see the doctor in a timely manner will only help the insurance company when they say you're not really hurt. They'll say, "If you could wait to see the doctor, you couldn't have been in that much pain."

Another thing to be aware of with insurance companies doing all they can to throw out your claim is when they try to call you after the accident and get a statement from you. They are trained to ask you loaded questions. They will lead you into saying something that you might think is innocuous but ends up being detrimental to your case. In order to avoid saying something that will end your claim, don't say anything to them at all. Don't answer their questions or willingly give them a statement without having an attorney present. An experienced

attorney should give them a statement on your behalf. We know what to say to avoid putting you in a position to lose a claim.

A big mistake happens when people find out about the statute of limitations. In Oklahoma, you have two years after your bicycle accident to file a claim. We have had clients call us a week before this two year limitation runs out and we are unable to help them. While you technically have two years, you do not want to wait. Calling an attorney as soon as possible will only help you to build a stronger case against the insurance company.



## GETTING COMPENSATION FOR YOUR BICYCLE ACCIDENT

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You can get compensation for a multitude of things including your medical bills (past and future), your property damage, pain and suffering (past and future), lost wages, and loss of normal life. What you should know about Oklahoma is that we do not have No Fault coverage. If we did, your medical bills would be covered regardless of who caused the accident. That means you need to be concerned with where the money is going to come from, so trying not to make mistakes in your case will be vital. Your Stillwater bicycle accident lawyer will help you through this. They will fight to keep your liability down. You don't want to get pinned for this.

Oklahoma is a shared fault state meaning you can receive compensation if you are at fault, but if you are 50% or more at fault, you will be barred from receiving any compensation. Your medical bills will not be covered, your pain and suffering will not be covered, and you will be responsible for those costs. With the help of an experienced Stillwater bicycle accident lawyer, you can get the compensation you deserve.

# FREQUENTLY ASKED BICYCLE ACCIDENT QUESTIONS

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## *What should I know about my claim?*

You may be wondering, what are the differences between a bicycle injury case and a car wreck case? There are not a lot of differences; you have the same damages, but more often than not, if you were on a bicycle, you have no protection for your body. If a car hits you, it hits your body directly, or you fly over their car because you don't have a seat belt on a bike. The damages are more serious if you're in a bicycle wreck. As a result, you're going to need to hire a lawyer sooner than later. Get to an attorney as soon as you can. Do your research. Find someone you feel comfortable with. Find someone that will investigate the case, get you to the right medical provider, and be there for you to answer all your questions. Don't hire someone who's going to hand it off to a young associate who's never handled a claim before.

## *How do I choose a lawyer for my case?*

You need to find an attorney that has experience in this area. You need to search for that type of person. You need to find an attorney who will get you to the medical care provider you need to become healthy and will get you to a specialist if you need to. You need to find an attorney that will fight for you.

You need to find an attorney that understands your situation and how difficult it is to be injured and still try to maintain your lifestyle. I think the most critical thing you have to do is find the lawyer you feel comfortable with. Find the lawyer that understands you, and that you feel confident with. You don't want a lawyer who will take your case and refer it to a young associate and you never see the lawyer you felt safe with again.

## *What mistakes can I avoid?*

The mistakes that I have seen my past clients who are involved in bicycle injury cases make are pretty avoidable. The first one is they don't seek medical treatment early enough or if they do seek it, they don't follow the recommendation of the doctor. What that means is they have less chance of getting symptom-free in a timely fashion, or it makes the insurance company believe they weren't really hurt that badly or else they would've done what the doctor told them to do. We don't know as much as a doctor knows about our health, so it's important we follow their advice.

The second thing is you need to hire a lawyer that has experience in these types of cases for a couple of reasons. First, they take the responsibility of dealing with the insurance company completely. You don't have to worry about it. You don't have to worry about missing the adjuster's phone call because you're working, in class, or out with your family; that's what the lawyers do. They make sure that you know everything you need to know about your case, there's no surprises. They prepare you for everything.

Take the guesswork out of it. Make an informed decision by having good information. You have good information when you have a lawyer who takes care of your case for you and does a good job of investigating it.

## *What damages can I recover for?*

If you're injured in a bicycle injury case, your injuries and the damages you receive are as follows:

- » past and future medical bills
- » past and future pain and suffering
- » compensation for any permanent disability or permanent impairment you may have.

If you cannot do the same things you did before, or enjoy your hobbies, or enjoy your family, you can receive compensation for those. You can receive lost wages if you're unable to work for a period of time or if you have to take time off to go to the doctor. What I would suggest to you is to get to a lawyer as soon as you

can, and hire one that can give you all the information you need to make a good decision. A lot of times, people try to settle their cases quickly without knowing all the things they're able to recover for.

## *Am I covered by insurance?*

If you're in a bicycle injury wreck and you believe that you may be responsible for a portion of the wreck, you can still receive compensation. As long as you're no more than 50% responsible, you can receive compensation. What we do in our firm is we do a focus group on these types of cases, and we let the focus group members look at the facts and circumstances, and they can help give us an idea of who is responsible and what percentage they're responsible.



## *Who is liable for the accident?*

If you're on a bicycle and you're injured because you are hit by a vehicle, you have a claim against the driver of the vehicle. However, you have to do an investigation, because bicyclists are held to the same responsibilities and have to obey the same rules of the road that other vehicle drivers must obey. You need to hire an attorney as soon as you can to determine what the rules and regulations in your specific area are for bicycles. Can you drive on the sidewalk? Can you drive against traffic? Those are things you have to determine.

Normally, bicycles have to obey the same rules that the cars obey. You have to drive with traffic. You have to make signals. You have to stop at stop signs, yield at yield signs. I would suggest that you contact a person who can deal with your bicycle wreck case as soon as you can.

## *How long do I have to file a claim?*

If you're in a bicycle injury case, how long do you have to file your claim or to receive a recovery? In Oklahoma, you have a two-year statute of limitations. That doesn't mean that you can take the two full years to make your decision

about what you want to do. You need to make your decision quickly. You need to hire an attorney early. Don't wait until the last minute to do anything. You don't want to feel rushed or hurried in your decision-making progress. You need to hire a lawyer that will talk to the insurance company for you, will investigate the case, will preserve the evidence, and help you get to the right doctors. If you wait too long, like a month before the statute runs out, it'll be too late for a lawyer to help you with all these issues. Hire a lawyer early and turn the case over to him, and all you worry about is getting your health back.

## *Do I have a claim if a pothole caused my injury?*

If you're in a bicycle injury case and you believe that a defective road could've been responsible wholly or partially for this wreck, then you have a claim. You have a claim against the city or the county, but you're going to need to hire a lawyer early on that can investigate this case. You need to determine, by an investigator or by your attorney, whether or not this section of the road had been involved in other wrecks. You need to find out if the city or the county had notice of this wreck, or that the state had notice of this wreck. If there have been several wrecks there over the past two or three months and they never fixed anything, then that is something serious, and the state, city, or county can be held accountable for it.

## *How much is my case worth?*

The most common question I get about most of the injury cases, especially bike injury cases is, "How much is my claim worth?" I really can't immediately answer that when I first meet a client. Until I figure out how serious their injuries are, how they recover from their injuries, what their permanent impairment is, and the circumstances of the wreck, I won't know the case value. You really can't put a number on these things. What you can do is hire the right attorney who can help you determine all the many factors that goes into valuing a case and help you maximize and get a reasonable and fair settlement from the insurance company.



# CONTACT OUR OFFICE TODAY

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If you are looking for a skilled Stillwater bicycle accident lawyer, please call our office today to schedule your free consultation with James Murray. You do not have to go at this alone. Avoid making an errors and call our office today. We will make sure we get you the compensation you deserve.



## ABOUT THE AUTHOR

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When James Murray was 15 years old, he watched President Richard Nixon’s Watergate scandal unfold before him. The corruption displayed by the White House and in politics in general during that time inspired James to pursue law so that he could make a positive change and a real difference in the country. To reach his goal, he attended undergrad — and later, law school — at the University of Oklahoma. In 1985,

James was admitted to the Oklahoma Bar Association and his career as an attorney began.

As a personal injury lawyer, Attorney Murray enjoys helping people. “It’s easily the most satisfying part of my job and it’s what drives me to come in to work every day. Those whom I help are real people with real problems, not walking ATMs that come in to my office to spit out money for my services and then leave. In personal injury, it’s important to remember that clients are more than just clients. I always make sure that I do.

“Through my cases, I can truly help the people who need it. For instance, when a car wreck killed the parents of two young children, our attorneys were able to settle the case on behalf of the now orphaned children for a figure in the mid-seven figures. No amount of money can bring those children their parents back. However, through the work we did, we were able to ensure that the children will be taken care of financially for the rest of their lives.

“When I’m not in the office, I spend time with my wife, who I love very much, and volunteer at my church. I also work extensively with the Boy Scouts of America

because I truly believe in the importance of instilling great values in our nation's young men. It's no wonder that all six of my sons are Eagle Scouts. Between the six of them, I have 11 wonderful grandchildren, and I watch with pride as my sons pass those same values on to them."

## *Education*

- » JD - University of Oklahoma
- » BS - Oklahoma State University, double major in Accounting and Agriculture Economics

## *Professional Association & Membership*

- » Oklahoma Bar Association

## *Community Involvement*

- » 2000-2007 President of Oklahoma Assisted Technology - Non-Profit
- » Scoutmaster Troop 822 - current
- » Chairman of the BSA-LDS Oklahoma Encampment 1997 and 2007
- » Eagle Scout & Duty to God Award
- » Past President of Payne County Bar Association
- » Chairman of the Law Day Committee of the Payne County Bar Association

