



KELLY GREENWAY BRUCE

BARRISTERS & SOLICITORS

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# LEGAL MATTERS



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Andrew practices exclusively in the area of personal injury law. He has extensive experience with all types of personal injury and wrongful death claims. Andrew believes that achieving exceptional results in personal injury claims requires dedication, perseverance, creativity and hard work. He is committed to applying these qualities on behalf of his clients.

**Q** *Can I sue for pain and suffering as a result of a car accident?*

**A** When hurt in a car accident that was not your fault, the question often arises can you sue for pain and suffering.

Some people are under the mistaken impression that because of our insurance system they can't make a claim. That is simply not correct.

Our present insurance regime is complicated and restricts a person's ability to sue for pain and suffering, but does not abolish it. In order to sue you must suffer a permanent serious impairment of an important physical, mental or psychological function, or suffer permanent disfigurement. This is called the threshold. Injuries are reviewed on a case by case basis. Factors considered include how the injuries impact your life, your activities of daily living and your ability to continue with employment or schooling.

If the injuries pierce the threshold, you can sue. Unfortunately, your award for pain and suffering will be reduced by a statutory deductible of \$30,000, unless your award for pain and suffering is greater than \$100,000. When injured in an accident, it is important to immediately seek medical attention and disclose the nature and extent of all injuries to your doctors. It is often based on this evidence that a threshold injury is established.

For more information on your rights following a car accident please call me at Kelly Greenway Bruce for a free consultation.



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