



**10 Things You
Need To Know
About Personal
Injury Law In
*New Jersey***

10 Things You Need To Know About Personal Injury Law In *New Jersey*

1

You have a **limited amount of time** to file a personal injury lawsuit in New Jersey. In most cases, the time limit is 2 years from the date of the injury. The time limit may be different based on the specific type of case.

2

Cases against the State of New Jersey, counties, municipalities and their employees typically require that you serve notice of a claim within **90 days** of the injury. If you fail to serve proper notice, you may lose the right to pursue a claim.

3

If you are injured in a motor vehicle accident, your own auto insurance may be responsible for paying your medical bills. This is called **Personal Injury Protection ("PIP") coverage**.

4

If an at-fault driver is uninsured or underinsured, you may be able to seek compensation for damages from your own auto insurance. This is called **Uninsured/Underinsured ("UM/UIM") coverage**.

5

Where New Jersey's "**limited right to sue**" applies to your auto accident claim, you must prove that your injuries meet one of the six following categories: death, dismemberment, significant disfigurement or scarring, displaced fracture, loss of a fetus or permanent injury based on objective medical evidence.

6

If you are injured on the job, you cannot sue your employer for negligence. Instead, **workers' compensation** is typically the sole and exclusive source of benefits for medical treatment, temporary disability and permanent disability.

7

If a work injury is caused by someone other than your employer, you may be able to pursue both a **workers' compensation claim** and a **separate personal injury action** against the negligent third-parties who caused the injury.

8

Under New Jersey law, if a jury finds an injured plaintiff more than **50%** responsible for causing an accident, the plaintiff is typically barred from receiving a money recovery.

9

When **Medicare** or **Medicaid** pay for medical treatment related to an accident, they must be reimbursed a portion of the amounts paid from the proceeds of a settlement or money recovery. A lawyer can determine and adjust the amounts owed.

10

In New Jersey, lawyers who represent injured people may charge a legal fee on a "**contingency**" basis, which means an injured person pays nothing out of pocket to bring a case, and an attorney fee is only paid if a money recovery is obtained.