HILLER COMERFORD
INJURY & DISABILITY LAW

CLIENT RESOURCE

The Complete Personal Injury Document Checklist

INJURY & DISABILITY LAW

What to save now, what we can obtain for you, and the New York deadlines that can affect your claim

> You do **not** need everything on this checklist before you contact us. Bring or send what you already have. If you hire Hiller Comerford, our team can obtain many of the official records needed to build your claim.

At the beginning, your most important job is to preserve the information, photographs, documents, and physical evidence that may be difficult or impossible to replace later.

Start With What Only You May Have

Save these items as soon as you can after the incident:

- [ ] **Photos and videos of the scene**, including the surrounding area, property conditions, vehicles, hazards, signs, lighting, weather, or anything else that may help explain what happened.
- [ ] **Photos of your injuries**, both shortly after the incident and as bruising, swelling, wounds, or other visible injuries change.
- [ ] **The police, crash, or incident report**, if you already have it. If the report is not ready, save the report or incident number.
- [ ] **Names and contact information for witnesses** who saw the incident or its aftermath.
- [ ] **Names of responding officers, EMTs, employees, property staff, supervisors, or security personnel**, when known.
- [ ] **Any damaged clothing, footwear, helmet, equipment, or personal property.** Do not throw it away or repair it before speaking with your lawyer.
- [ ] **Original photos and videos**, even if you have already texted or posted copies. Avoid editing, cropping, or deleting the originals.
- [ ] **Texts, emails, direct messages, or other communications about the incident.**
- [ ] **A short factual timeline** of what happened while the details are still fresh, including where you were, what you remember seeing or hearing, and what happened immediately afterward.

You do not need to investigate the incident yourself. If surveillance footage, business records, maintenance records, vehicle data, or other evidence is controlled by someone else, tell us about it so we can determine how to preserve and obtain it.

Medical and Recovery Records

Keep anything that documents your injuries, treatment, and recovery:

- [ ] Emergency room, hospital, urgent care, and ambulance information
- [ ] Names and contact information for every doctor, specialist, therapist, or other provider who has treated you
- [ ] Dates of appointments and treatment
- [ ] Imaging reports, including X-rays, MRIs, and CT scans
- [ ] Specialist referrals and treatment plans
- [ ] Physical therapy, occupational therapy, or rehabilitation information
- [ ] Prescription receipts and records
- [ ] Receipts for braces, crutches, medical equipment, or other injury-related purchases
- [ ] Health insurance information, including Medicare or Medicaid information if applicable
- [ ] Written work restrictions or disability notes from your medical providers
- [ ] Records of transportation or other out-of-pocket costs related to medical care

> **Do not delay calling us because you do not have complete medical records.** A list of your providers is enough to get started, and our team can request the appropriate records and bills if we represent you.

Insurance, Employment, and Financial Records

These documents help identify available coverage and measure the financial effect of the injury:

- [ ] Your auto, homeowner's, renter's, or other potentially applicable insurance policies
- [ ] Insurance declarations pages
- [ ] Claim numbers
- [ ] Letters, emails, forms, or other correspondence from any insurance company
- [ ] Copies of anything you have already submitted to an insurer
- [ ] Pay stubs from before and after the injury
- [ ] A record of full and partial workdays missed
- [ ] Employer verification of lost time or wages, if available
- [ ] Disability, sick leave, or leave-of-absence paperwork related to the injury
- [ ] Tax returns, 1099s, invoices, or other income records if you are self-employed
- [ ] Receipts for transportation, home assistance, medical equipment, and other injury-related expenses

New York Deadlines to Put on Your Calendar

POSSIBLE DEADLINE	GENERAL TIME LIMIT	WHAT IT MEANS
Motorist crash report (MV-104)	**10 days**	A driver involved in a New York crash generally must file an MV-104 when someone is injured or killed or damage to any one person's property exceeds $1,000.
Written New York no-fault notice	**30 calendar days after the accident**	Applies to eligible motor vehicle accident claims. Late notice can jeopardize no-fault benefits, although New York recognizes certain justified late filings.
No-fault health care bills	**45 days after the service is provided**	Medical bills generally must be submitted to the no-fault carrier within this period. Providers often submit their own bills, but you should make sure they know the treatment is accident-related.
No-fault lost earnings and other necessary expenses	**90 days**	Proof of lost earnings and certain other expenses generally must be submitted within 90 days of the loss or expense.
Notice of Claim against many municipal entities	**Generally 90 days**	Claims involving a city, county, town, village, school district, or another public entity can have much shorter notice requirements than an ordinary injury claim.
Claims against New York State	**Special Court of Claims deadlines may apply, including 90-day requirements**	State claims follow different filing and service rules from ordinary municipal Notice of Claim cases.
Most New York negligence lawsuits	**3 years**	CPLR § 214 generally gives three years to file a personal injury lawsuit based on negligence, subject to important exceptions.
Medical malpractice	**Generally 2 years and 6 months**	Different accrual rules and exceptions can apply, including continuous treatment and certain discovery rules.
Wrongful death	**Generally 2 years from the date of death**	Other deadlines can also apply depending on who caused the death and whether a public entity is involved.

These are **general deadlines, not a complete list**. The correct deadline depends on the type of accident, defendant, insurance coverage, and other facts. If you are unsure which deadline applies, speak with a lawyer rather than waiting for the longest deadline on this chart.

Gather These Additional Items If They Apply to Your Case

Car, truck, motorcycle, pedestrian, or bicycle accident

- [ ] Driver's license, vehicle registration, and insurance information
- [ ] The other driver's contact and insurance information
- [ ] Photos of every vehicle involved, including license plates and damage
- [ ] Your MV-104, if one was required and filed
- [ ] Repair estimates and property damage photographs
- [ ] Towing, storage, rental vehicle, or transportation receipts
- [ ] Dashcam, helmet camera, or other footage in your possession
- [ ] Information about nearby cameras you noticed at businesses, homes, intersections, or parking areas
- [ ] Any damaged helmet, bicycle, motorcycle gear, child safety seat, or other equipment

Fall, negligent security claim, or another injury on someone else's property

- [ ] The exact address and location where you were injured
- [ ] Photos or video of the condition involved
- [ ] The incident report or report number
- [ ] The name of the business, property owner, landlord, manager, or security company, if known
- [ ] Receipts, tickets, reservation confirmations, leases, key-card records, or other documents showing why you were on the property
- [ ] Copies of complaints, maintenance requests, emails, or other communications about the condition, if you already have them
- [ ] Names of employees, security guards, tenants, customers, or others who witnessed the condition or incident

Workplace or construction-site injury

- [ ] Your written accident or injury report to your employer
- [ ] Workers' compensation claim information
- [ ] The names of your employer, general contractor, subcontractors, property owner, or other companies working at the site
- [ ] Your supervisor's information
- [ ] Names of coworkers or other witnesses
- [ ] Photos or video of the work area, equipment, or condition involved
- [ ] Safety documents, training materials, work orders, or instructions already provided to you
- [ ] Pay records and documentation of missed work

A workplace injury may involve both a workers' compensation claim and a separate claim against a third party. Save information identifying every company involved rather than assuming your employer is the only relevant party.

Nursing home or care-facility injury

- [ ] Admission agreement
- [ ] Care plan, if available
- [ ] Medical records or facility records already in your possession
- [ ] Written complaints made to staff, administration, or outside agencies
- [ ] Photos of injuries, living conditions, bedding, equipment, or anything else that concerned you
- [ ] Names of staff members, residents, visitors, or family members with relevant information
- [ ] Bills and payment records
- [ ] Power of attorney, health care proxy, or other authorization documents, if applicable

Medical malpractice claim

- [ ] Names of every doctor, hospital, clinic, and facility involved
- [ ] Discharge paperwork and visit summaries
- [ ] Test and imaging results already available through your patient portal
- [ ] Referral information
- [ ] Consent forms or instructions you received
- [ ] Patient portal messages, emails, or other communications with providers
- [ ] A timeline of when symptoms began, when you sought care, and what you were told

Dog bite or animal attack

- [ ] The owner's name and contact information, if known
- [ ] Police or animal-control report information
- [ ] Photos of your injuries
- [ ] Photos or identifying information for the animal, if safely available
- [ ] Witness information
- [ ] Torn or damaged clothing
- [ ] Any information given to you about the animal's vaccination or ownership history

Avoid These Common Early Mistakes

Do not give the other party's insurer a recorded statement without legal advice.

The adjuster may ask questions before you know the full extent of your injuries or have access to the evidence. If your **own** insurer requests information, remember that your policy may require cooperation. Speak with your attorney about what your policy requires and how to respond.

Do not sign documents you do not fully understand.

A settlement release can permanently end your claim, and a broad medical authorization may give an insurer access to records far beyond the treatment related to your injury. Have documents reviewed before signing when you are unsure what rights you are giving up.

Do not delete social media posts, messages, photographs, or other evidence.

Avoid posting new information about the incident, your injuries, travel, exercise, or physical activities while the claim is pending. But do not start deleting existing material once a claim or lawsuit is reasonably anticipated. Tell your lawyer what exists and follow their advice about preserving it.

Do not throw away or repair important physical evidence too soon.

Damaged shoes, helmets, clothing, products, vehicles, equipment, or other objects may help explain what happened. Photograph and preserve them until your legal team determines whether they are needed.

Do not ignore medical care or unexplained gaps in treatment.

Get appropriate medical attention and follow your providers' recommendations. If treatment is interrupted because of cost, scheduling, insurance problems, transportation, or another reason, tell your lawyer rather than leaving the gap unexplained.

Do not rush into a settlement before you understand your losses.

An early offer may arrive before you know whether you will need surgery, continued therapy, time away from work, or long-term medical care. Once you sign a full release, you generally cannot return later for additional compensation because your injuries turned out to be more serious than expected.

You Do Not Have to Build the Case Yourself

Your job is to tell us what happened and preserve what you have. If we take your case, Hiller Comerford Injury & Disability Law can work to obtain the police and incident records, medical documentation, insurance information, surveillance, employment records, witness evidence, expert analysis, and other materials needed to prove the claim.

The earlier we are involved, the sooner we can determine what evidence needs to be preserved and what deadlines apply.

HILLER COMERFORD INJURY & DISABILITY LAW

Get a Free Case Evaluation

You pay no attorney's fee unless we recover compensation for you.

Call 1-866-HILLER-LAW for a free, no-obligation consultation.