

What is the Duration of a Personal Injury Case in New Jersey?

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If you've been injured in an accident, one of the most common questions is how long your personal injury case will take. In New Jersey, there's no exact timeline. Some cases resolve in a matter of months, while others can take a year or more, especially if they involve serious injuries or disputes.

Below is a straightforward look at the key stages and what can affect the timing.

Medical Treatment and Recovery

Your case usually won't move toward settlement until your medical condition is stable. This is because the full extent of your injuries needs to be understood before valuing the claim.

- Minor injuries may resolve in weeks or a few months
- More serious injuries can require ongoing treatment for many months

Waiting until you reach maximum medical improvement helps ensure you're not settling for less than your case is worth. However, retaining counsel as soon as you are aware of a claim is recommended to ensure that you do not miss any applicable statute of limitation or similar deadline required to pursue a cause of action.

Investigation and Evidence Gathering

Early in the process, your attorney collects important evidence to support your claim, including:

- Police or accident reports
- Medical records and bills
- Photos, videos, and witness statements

Simple cases may be ready for negotiation fairly quickly, while more complex cases; such as those involving disputed liability can take longer to investigate fully.

Insurance Company Negotiations

Most personal injury cases in New Jersey are resolved through settlement, not trial, however we prepare each matter as if it is going to proceed to trial.

Once your attorney submits a demand, the insurance company will:

- Review the claim and supporting evidence
- Evaluate liability and damages
- Often respond with a lower offer

Back-and-forth negotiations are common, and this stage can take several months depending on the insurer's responsiveness and willingness to settle.

Filing a Lawsuit (If Needed)

If negotiations don't result in a fair settlement, your attorney may file a lawsuit in the New Jersey Superior Court.

Important points:

- The statute of limitations is generally two years from the date of the accident, but in some cases there are even shorter deadlines that must be met.
- Filing a lawsuit often leads to more serious settlement discussions

Once a case enters litigation, the timeline typically extends due to formal court procedures.

Discovery Phase

Discovery is often the longest stage of a personal injury case. During this phase, both sides exchange information and build their arguments.

This process may include:

- Written questions (interrogatories)
- Requests for documents
- Depositions (sworn testimony)

Discovery can last 6 to 18 months or longer, particularly in cases involving multiple parties, expert witnesses, or significant injuries.

Mediation and Settlement Conferences

Before trial, courts often encourage mediation to try to resolve the case.

A neutral mediator helps both sides negotiate, and many cases settle at this stage. Mediation can occur:

- Early in the case
- Or after discovery is complete

If successful, it can significantly shorten the overall timeline.

Trial and Final Resolution

Only a small percentage of personal injury cases go to trial, but when they do, it can add significant time.

- Trials may take days or weeks
- Preparing for trial can take months
- Court scheduling may introduce delays

Cases that reach this stage are typically the most complex or heavily disputed.

Factors That Affect How Long Your Case Takes

Several variables can influence your timeline:

- Severity of injuries: More serious injuries often require longer treatment and higher compensation
- Disputed liability: If fault is contested, additional investigation and negotiation are needed
- Insurance delays: Slow responses or low offers can extend the process
- Case complexity: Multiple defendants or complicated facts take more time
- Court backlogs: Scheduling delays are common in New Jersey courts

Final Thoughts

There's no fixed timeline for a personal injury case in New Jersey. While some cases settle within a few months, others take longer, especially if they involve serious injuries or litigation.

The key is to focus on building a strong case rather than rushing to a quick settlement. With the right legal guidance, you can keep the process moving and work toward the best possible outcome.

Injured in an accident? We can help.

If you or a loved one has been hurt in a car crash, slip and fall, or any other incident, you don't have to navigate the process alone. Our Personal Injury team is here to explain your options, handle the insurance companies, and fight for the compensation you deserve. Call us today to discuss your situation.

Attorney

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Practice

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