



Coulthursts
The Brain Injury Solicitors

Pursuing a Brain Injury Claim?

FREQUENTLY ASKED
QUESTIONS

At Coulthursts, The Brain Injury Solicitors, we understand the challenges that follow a traumatic brain injury, and how it affects both the injured person and their loved ones. During this stressful and life-altering time, feeling supported and understood is crucial as you navigate the process of making a potential compensation claim.

We recognise the importance of having the best representation to achieve the best possible outcome, while the person and their loved ones focus on recovery and rehabilitation, we are committed to providing exceptional support and, in many cases, assisting with the costs of ongoing treatment throughout the claim. The well-being of the individual, their family, and the outcome is our top priority.

Please see below frequently asked questions (FAQs) that we hope support you during this difficult time:

**1. I am not sure if I want to claim, or to start any claim yet.
Can I just call for initial advice?**

Certainly. In fact, we recommend this.

Please contact us for a free and confidential review of your claim and advice on how we (or any solicitors) can help and support you and your loved ones with no obligation to proceed any further. You are in control; it is completely up to you what you do next.

This is part of our *“Promise to You.”*

2. How do I contact you for free advice or to start a claim?

Whatever you find easiest.

Your first step is simply to get in touch with us for a no-obligation consultation with one of our legal team, where we will introduce ourselves, listen to your story, and



Coulthursts
are the only UK
law firm who
exclusively work
on brain injury
claims

explain a little bit about what makes us – as dedicated brain injury specialists – different to other solicitors.

During this call (either by phone or video), we can start to discuss your claim, explain next steps, and take some initial information.

To get things started, all you need to do is call us on **0333 006 9490** or email us at advice@coulthursts.co.uk and you will be connected to a brain injury specialist.

Not sure if you are ready to arrange a call or meeting?

Would you just like to test the water and ask a few questions. No problem, please simply email us or complete the 'Contact us Form' for information at coulthursts.co.uk/contact-us (or scan the QR code at the back of this booklet to be directed to our website).

Would you like us to come out straight away and meet you and your loved ones face to face at hospital or at home?

No problem, we will do this straight away at no cost to you.



3. What information do I need for this initial contact?

You do not need to prepare anything!

We will just ask simple questions, such as how you and your loved ones are doing, the (approximate) date of your incident or accident, as well as brief details of what happened.

We will also let you know about us as a firm, how we can help you or your loved one via our unique **Rehabilitation and Support Service**, which we offer in addition to our specialist legal service and how we are different to other firms. We only employ very experienced specialist solicitors who have a very low individual caseload. **Ask us why this is important to you!**

You can also use this introduction meeting to ask us any questions you have about Coulthursts, what will happen if you pursue a claim, or any pressing immediate problem you are facing because of the accident. We are here to help

4. What happens after the initial meeting?

This is entirely up to you!

If you are happy with the initial review and do not want to proceed (or put this on hold as you want to leave this decision until later) that is completely up to you.

One of our brain injury solicitors will book a time to meet with you. This can be in hospital, rehab centre or at home. We will meet you where it is convenient for you.

At this meeting, we want to get to know you and your family to understand the difficulties you may be facing and then advise how we can help. We will take more information about the incident to enable us to start to investigate the claim, if you are happy for us to do so.

Want to speak to your family or arrange another call or meeting with other members of your family?

No problem, we are happy to do this and will include this as part of the Free Review.

5. Will I have to sign a contract with you at this initial meeting or a follow-up face to face meeting?

No.



6. Will I have to pay for this initial meeting?

No.

We do not charge for meeting clients or potential clients. You do not have to sign anything. We will not “hard sell” and we hope that by speaking with us and understanding our passion and the way we work; you will be happy to instruct us to act on your behalf or on behalf of your loved one.

7. How long do I have to make a claim?

The general rule is 3 years (but there are exceptions).

But to answer the question: Why should I get legal advice or start a claim now and not leave this until later - see question 1 previously.

The general rule is that you have 3 years from the date of the incident or accident to claim. This is known as the “limitation period.”

An exception to this rule is if a claim is made on behalf of a child. They have 3 years from their 18th birthday to make the claim.

There are no time limits if a claim is made on behalf of someone who does not have mental capacity. If, however, they regain capacity at any time, then the 3-year limitation clock starts from that date.

The Courts can extend the 3-year limitation period. However, this is not common and there would have to be an extremely good reason. It is better to pursue the claim as soon as possible so there is no issue with limitation.

If you are injured because of a violent crime and wish to present a claim to the Criminal Injuries Compensation Authority (CICA), then the time limit is 2 years after the incident. But, very importantly, you must have reported the incident to the police as soon as is reasonably practicable. We urge you not to delay, if you are reading this do this now (unless you are unable to) and do not leave this until tomorrow.

8. Do I need to finish my claim within the 3-year time limit?

No.

The complexity of the case may mean it is not possible to settle within this time. As such, you only need to register your case within the court within this time limit (known as “issuing proceedings”). We can help you with this.

9. What will this cost me - do I have to pay your fees?

It will cost you nothing to contact us and arrange the initial free review of your claim or for any initial advice (as we have explained previously in this booklet).

If you choose to instruct us, even though we are specialists we are committed to offering a “no win no fee” service.

This gives you the peace of mind you deserve.

Do not worry:

If you do not win your case and do not receive compensation you do not pay anything. Please contact us to explain how we do this and arrange protection for you with legal expense insurance.

If you win your claim the ‘loser’ pays most of the legal costs. There are no upfront fees charged to you. All you will have to pay is a small contribution. Please feel free to contact us so we can explain how we “cap” this small contribution.

10. Who will deal with my claim? How do I know they have the knowledge needed to deal with my claim?

We are unique in that we only deal with Brain injury and only employ experienced solicitors.

The Solicitors who support our clients all have more than 10 years’ experience. This means they are classed as Grade A legal experts. Most of our solicitors have more than 25 years’ experience. You will always have an expert dealing with your case.



11. Will I need to attend medical appointments?

Yes, we will instruct medical experts as near as possible to your home or place of residence.

However, we wish to obtain the best expert reports to deal with your injuries and assess the future impact of your injuries as well as detailing all the issues you currently experience. Sometimes, the best person is not the closest. Given the severity of the injuries many of our clients have, there are usually multiple appointments with various experts, depending on your injuries.

But please be assured that we will endeavour to make these appointments as easy as possible for you or your loved one.

12. Will I have to go to court to settle my claim and give evidence?

Very unlikely.

Most claims never go to court (trial), where the person claiming must give evidence. If possible, it is in all parties’ interests to negotiate a settlement. This can have the benefits of reducing the length of time of the whole process, as well as reducing the costs and the risks of going to court.

We will always advise you to ensure your interests are served and that we obtain the best possible settlement for you. If this cannot initially be obtained by negotiation then even if court proceedings are issued, negotiation and settlement can still occur at any time.

13. How long will the claim take to settle?

The time frames can vary, this will depend upon what is in your and your loved ones best interests.

Importantly you are in control. However, part of our promise to you is to aim to settle your claim much quicker than industry averages. How do we do this? We are the only firm in the UK that specialise exclusively in Brain Injury. Our legal experts have substantially lower individual caseloads than most other firms; this means our solicitors get to spend more time on your claim each month.

Our aim is to settle claims on average closer to 2 to 2.5 years as opposed to an average of 5 years. This is a very broad-brush average as the length will depend upon the evidence, you, and your individual case.

Our promise to you is that we will always act in YOUR best interests. For example, the injuries suffered may be so severe that experts may need to re-examine you or your loved one before making a final prognosis. As such, the time taken is guided by your recovery and the evidence.

14. Will I have to wait until the end of the claim to get any money?

No.

We will fight to get you an interim payment. This is an advance on your compensation as these cases can take time to settle.

If the person or organisation responsible for the accident admits fault, it is possible to obtain interim payments to assist so you are not waiting for all your money until the claim is concluded. The amounts will vary on a case-by-case basis. You may have a few interim payments over the lifetime of the claim, to pay for treatment or to reimburse you for lost earnings, or indeed just a general interim payment to be offset against the final claim.

However, no solicitor can guarantee an interim payment. If you have been led to believe this is the case by other solicitors, then I would question the advice given to you. Contact us for a free chat about interim payments and what can and cannot be done and how we can help.

Ask us about how we can help maximise the chance of you getting an interim payment and the possibility of emergency payments.

15. When my claim has ended how long will it take to get my money?

**Usually, payments are made within 21 days to Coulthursts.
We will then transfer your settlement money to your bank account.**

16. Will my settlement affect my benefits?

No, not if you take specific steps to protect these.

We can help by arranging a free review with an Independent Financial Advisor to provide you with the best advice to ensure your (means-tested) benefits are not affected, and your interests are protected.

For example, a Personal Injury Trust Fund can be set up and your settlement money placed in this account. The significant benefit of this is that your

compensation and income received into the trust fund are ignored when calculating your entitlement to benefits. This should also be considered if you are not in receipt of benefits at the time of settlement but may need to apply in the future.

17. Can I change Solicitors?

Yes.

If you have already engaged a solicitor but are dissatisfied with the service or feel they do not have the expertise to deal with your claim, then contact us for a free and confidential review of your claim. If you wish we can take over the conduct of your claim.

You have the legal right to choose your legal representation, this includes changing representation and not having to use any insurance panel solicitors.

Enquiry Form

Contact us or scan the QR code to complete a contact form for one of our specialist Brain Injury Solicitors to contact you to provide further guidance and information at no obligation or cost.



Phone Number
0333 006 9490

Email Address
advice@coulthursts.co.uk



SPECIALIST LEGAL

We deal exclusively with brain injury claims.



REHABILITATION & TREATMENT

We pay for and arrange early treatment and support.



FINANCIAL

We provide financial advice and support, and ensure maximum compensation is obtained.



EMOTIONAL & FAMILY SUPPORT

We build our service around what you and your family need.



NO RISK

We are committed to offering a no-win, no-fee service.



Coulthursts

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advice@coulthursts.co.uk



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