



# ST. PETERSBURG SLIP & FALL GUIDE

*What To Do If You're Seriously Injured  
In A Slip & Fall*

SALTER, HEALY, BASSETT & RIVERA



SALTER, HEALY, BASSETT & RIVERA  
PERSONAL INJURY TRIAL ATTORNEYS



If you suffered a serious injury from slipping and falling, you may be eligible for compensation. Your life has probably flipped on its head since the incident and left you with a considerable financial burden. You probably have most likely incurred a lot of unexpected medical expenses and have had to miss time at work to recover

from your injuries. We work hard to get you compensation for your injuries and hold the insurance company for the liable party responsible for your damages. Give this page a read and then please call our Florida slip and fall lawyer to set up a free consultation to go over the details of your case and discuss what your next legal steps should be to get the results you deserve.

## FLORIDA SLIP AND FALL STATUTE OF LIMITATIONS

---

In Florida, you have four years from the date of the slip and fall to bring your claim or settle it in civil court. That means you have a four year time frame in which you can pursue compensation from the liable party. If you wait longer than four years, you will be barred from receiving compensation altogether. Four years may seem like a very long time and you may think you have plenty of it to bring your claim, but we do not advise waiting any period of time. As soon as you're able to call, you should. If you wait, it could put pressure on your attorney to rush the process in order to put together your case. You want to be able to give your attorney as much time as possible to put together your case and make sure they fully investigate it to create a strong argument for you.

## COMMON SLIP AND FALL INJURIES

---

Not only are slip and falls kind of embarrassing, but they can cause some serious injury that have the potential to be life-changing. The most common types of slip and fall injuries that we see clients get include:

- » Broken bones or fractures
- » Slipped discs
- » Neck and head injuries
- » Spinal cord injury
- » Cuts and lacerations

You must ensure that you seek medical attention right away for your injuries. Do not ignore any pain you may be feeling and don't feel like you can just brush it off. You do not want to risk worsening your condition for any reason.

## IMPORTANT FIRST STEPS AFTER THE SLIP AND FALL

---

The most important step will be getting yourself in front of a medical professional. Whether this happens because you got on the ambulance and were taken to the ER that day or you went to see your primary physician the next day, you need to do it as soon as you can. You want to ensure that you have documented proof of your injuries so you can show the liable party's insurance company just how badly you are injured because of their insured's negligence.

The second most important step after your slip and fall is the collection of evidence. You want to make an accident report if you've slipped in a store or on public property. On private property, you want to let the owner know you were hurt on the property. You should take photos of what caused your trip or slip and ask any witnesses for contact information. Lastly, never admit that it was your fault. That is important if you want that full and fair compensation.

## AVOID TALKING TO THE INSURANCE COMPANY

---

The biggest mistake people often make is usually done because you want to be cooperative. The insurance company that represents the liable party in your slip and fall will reach out to you after your injury and will ask you to give them a

recorded statement about the accident to help them help you. You should never give that recorded statement. It will only hurt your case. They are trained to ask you questions in a way that will force you to answer unfavorably. They will try to trick you into blaming yourself for the accident. What we suggest is having your attorney either moderate a conversation between you and the insurance company or have your attorney take over the communication altogether.



## FREQUENTLY ASKED SLIP AND FALL QUESTIONS

---

### *How Do I Pick the Right Attorney?*

In speaking with somebody who was in a slip and fall accident in St. Petersburg, Florida, and ended up sustaining very serious injuries, the first question they had was, “How do I find the best slip and fall attorney for me?” The first thing to consider is if this attorney handles slip and fall cases. There are a lot of attorneys who handle all types of cases, from family law to bankruptcy cases, and there are’s a lot of lawyers who handle personal injury cases that don’t handle slip and fall cases. You need someone who specifically handles a high volume of slip and fall cases, like our firm does.

You can look at the Florida Bar to see which attorney has their certification for civil trial law, which means that those attorneys are specialists in that field. They can only become specialists in civil trial law by trying a certain number of cases in front of a jury and getting the approval of judges and other attorneys.

If you hire an attorney who doesn’t go to trial, you’re doing yourself a serious disservice because, all the defense lawyers know who the lawyers are that go to trial, and they take those lawyers more seriously because they know if they low-ball those attorneys, those attorneys are going to go to trial and push the case as far as they need to, to make sure that their client gets something that’s fair.

## *What Are the Steps in a Slip and Fall Claim?*

Someone came into our office regarding a slip and fall accident that they had been involved in. They wanted to know what a slip and fall case entails. First, we want to make sure that our clients receive the appropriate medical attention that they need. If they need to see an orthopedic specialist, we make sure that they get there.

Second, we want to do our investigation. Are there pictures of the substance that cause the slip? If not, can we get out to the location and gather that evidence as quickly as possible? Then we determine who is going to be responsible for our client's injuries.

Once our client has recovered from their injuries and has gone through the medical treatment that they need to, we gather all medical records and medical bills and submit that to the insurance company in a demand. The insurance company will have 30 days to evaluate our client's claim and, after those 30 days, they will submit an initial offer to our client.

If that initial offer is reasonable, then we can begin the negotiation process. More often than not, the initial offer is not reasonable and we have to file a lawsuit against the appropriate entity.

## *What Are the Common Mistakes After a Slip and Fall Injury?*

We handle a lot of slip and fall cases at our law firm, and there are some common mistakes that people make that can be easily avoided. First, if you are in a slip and fall accident at a store, you need to make sure that you bring that accident to the attention of the store personnel and that you show them where it was you fell and the reason you did. Oftentimes, we have clients who are in a slip and fall injury themselves, and they're quick to get up and leave the store. The problem with that is, it doesn't document what happened and it makes it harder, as the case goes on, for us to prove the event. Be sure to let the store personnel know.

The second thing is, if you're well enough to do so or you have friends or family with you, document the cause of the slip and fall by taking photographs at the scene. It's important that we establish the reason for the fall. Oftentimes, the employees of the store are going to try to clean that up before any photographs can be taken, so we need to have that evidence.

Next, be sure that you don't give a statement about fault to store personnel or their insurance companies before you hire an attorney. They may ask you questions that they then can use against you. If you have an attorney hired, they can navigate that part for you and make sure that you're able to recover what's fair in your case.

Last, make sure you hire an attorney who is qualified. Don't hire an attorney who doesn't handle personal injury cases regularly. Make sure that the attorney you hire is someone who's highly qualified and has trial experience. The easiest way to do that is to make sure you hire a board certified civil trial lawyer, like most of the attorneys at our firm.

## *What Do I Do After a Slip and Fall Injury?*

If you've been injured in a slip and fall, there are a few things that are imperative for you to do. The first thing to do is contact store personnel and make them aware of the problem. The next thing that you should do is document the scene yourself. Take a photograph of whatever caused your fall, and make sure that you know what it is that caused your fall. Oftentimes when people fall, they're hurt, stunned, and leave the store immediately, thinking that they'll have a case, even though they haven't left any documentation with the store. That's not true. In order to be successful in your slip and fall injury case, there needs to be documentation and you need to be able to tell a jury what it was that caused your fall.



The next thing that you should do is seek immediate medical care. If there are any gaps in treatment, the insurance companies will use those gaps against you

to claim that your injuries were caused by something else and were unrelated to your slip and fall. The next thing you should do is contact a competent attorney, specifically a board certified civil trial lawyer, who practices nothing but personal injury. Do that before you contact any insurance company, because the insurance company personnel are trained to ask you questions that get you to answer in a way that will minimize any potential payout they have to make for your damages resulting from your slip and fall injury.

## *Can We Avoid Trial for a Slip and Fall Claim?*

I recently had a slip and fall client of mine ask me, “Are we going to have to go to trial on this case?” First of all, the main reason that we would have to go to a trial is if the insurance company is not fairly and reasonably evaluating the case and offering us an amount that is just, in light of the circumstances and the facts that they have. If that happens, we will try the case, and we will ask a jury to do the right thing because the insurance company won’t.

The way to avoid trial is by being prepared, not only through preparation, depositions, and discovery, but by preparing you to be ready for any depositions that occur. That includes making sure you know what’s coming on a cross examination from the insurance company. We also prepare any medical providers for testimony at trial, thoroughly, and any experts that may have to be hired as well, so by the time we get to court, the insurance company will see we’re ready.

## *Can Preexisting Injuries Affect My Slip and Fall Claim?*

I met with a client who had been injured in a slip and fall accident and the client sustained numerous injuries, some of which were to body parts that had been injured at previous times in their lives. That client was concerned that she may not be able to make a claim for certain injuries sustained in the slip and fall because there were preexisting conditions.

Florida law allows people who have been injured as a result of someone’s negligence in a slip and fall accident to make a claim for the aggravation or worsening of a preexisting condition. Our firm has extensive experience handling

slip and fall cases and obtaining excellent results for our clients who have been injured, even when they have preexisting conditions.



## *How Long Will My Case Take?*

I had a client call me recently about a very serious slip and fall. He had some very serious injuries as a result of it, and the question he had for me was, “How long is this process going to last for me?” I told him there are different stages for these types of cases when you’re involved in a slip and fall.

First, there’s a pre-suit time period where he would be getting medical treatment for the serious injuries that he had from that slip and fall accident. At the end of that time period, we would submit a demand to the insurance carriers responsible and, if they don’t do the right thing by offering a fair settlement, we would file a lawsuit.

The suit period can be extensive. I told him that, if we have to file a lawsuit, we have to be patient. It can take some time. We’ll have depositions, paper discovery, and a mediation that needs to occur. At a settlement conference, if the insurance company doesn’t do the right thing and resolve that slip and fall case, then we would seek a trial date and we would try the case.

## *How Much is My Case Worth?*

In talking to a client in St. Petersburg, Florida about a slip and fall case that they had not too long ago, one of their questions was, “What’s the value of this slip and fall case?” There are a number of factors that are important in determining a slip and fall case value. One of them is how the accident happened. That is discovered through an extensive interview with our attorneys to determine how it happened and how we can prove that it was the fault of the store or residence where you slipped and fell.

Was there immediate medical treatment, and what was it? It’s important that a doctor document the injuries that occurred initially and that highly qualified doctors continue to treat you, if you’ve been injured in a slip and fall, and obtain



appropriate MRIs, x-rays, and any other diagnostic tools they have, to identify the full extent of your injury.

In evaluating the value of your case, we have to look at what the injuries are, what care was obtained and what the cost of that care was. If you've had therapy, injections, surgery, those are all important factors to consider. It's important to consider, as well, what you will need in the future because of your injuries. Will you need more therapy? Will you need additional surgeries? We'll work with highly qualified doctors who can evaluate your injury, look at the appropriate studies, and offer opinions about what you're going to need in the future for the rest of your life, so that we can make that claim on your behalf to the insurance company or in front of a jury trial.

The other thing that's important when determining the value of the case is if the person missed work. Are there out-of-pocket for lost wages, and are they going to miss work in the future? Are these injuries going to be with them forever? Are the injuries going to shorten their work life? Are the injuries going to cause them to have to give up an occupation that they loved and find something else to support their family? We will document those with appropriate experts who can put a dollar figure on those losses and present them to the insurance company.

Finally, what is the effect on the person in a non-economic way? That is not calculatable, but how this affects the person's enjoyment of life, their interactions with their children, and family. What is the pain and suffering as a result of the accident? These are very important damages, and we can help evaluate these as well.

## *Do I Have to Have a Certain Amount of Medical Bills?*

Recently, someone gave us a call regarding a slip and fall accident, and they were concerned that they weren't able to present a claim, because they didn't have very many medical bills. That simply is not true.

The first question that I ask any potential client is, "Have you fully recovered from your injuries?" More often than not, people have not and they need further

treatment. We make sure that they get the treatment that they need for their injuries. Once they're done with their treatment, that's when we can start negotiating on a case.

## *Slip and Fall Injury Medical Bills*

Recently, we received a phone call from someone who was injured in a slip and fall accident. Sometimes slip and fall accidents are the worst because you don't anticipate falling on a substance that shouldn't have been on the floor. The client asked me, "Who's going to pay those medical bills?"

We contact the facility or the location where the person has fallen, and we begin our investigation. They will have a liability coverage policy in place, and we pursue that policy for all of our client's damages, including past medical bills, future medical bills, and pain and suffering.

## *Slip and Fall Insurance Investigation*

I met a client who was injured in a slip and fall accident in a grocery store. She had been getting calls from the insurance company for the store wanting to take her recorded statement. She hadn't given the statement and was unsure of whether she was obligated to give that statement in order to have a claim. There is no obligation to make that recorded statement. Before giving any type of recorded statement, if you've been injured in a slip and fall, make sure you call a lawyer, specifically a board certified civil trial lawyer, with a history and track record of successfully handling slip and fall cases before talking to any insurance company.

The insurance company adjusters are trained to ask questions and elicit responses designed to eliminate or minimize any payment that they may ultimately have to make to you for your injuries.

## *Slip and Fall Settlement Offers*

I recently had a slip and fall client ask me, when we received the initial offer from the insurance company, "Should we take it?" I told her no. Most initial offers that we receive are not going to be close to what's reasonable and fair to resolve the case. Usually, what has to happen is we have to push the case to

litigation and show the insurance company, through depositions, discovery, and through medical providers that that initial offer is not what's reasonable. If we have to show that all the way to the courthouse steps and into a trial, we will do that for you.

## CALL OUR OFFICE RIGHT AWAY FOR A FREE CONSULTATION

---

If you have been seriously hurt in a slip and fall, please do not hesitate to reach out to our Florida slip and fall lawyer today to set up your free case evaluation. Your case is important to us and we want to ensure you will be getting the best possible compensation award. We are here to answer your questions, guide you through the legal battle, and safeguard your right to full and fair compensation. We have handled many cases just like yours and are eager to take your call.

## ABOUT THE AUTHORS

---



### *Robert J. Healy*

A lifelong resident of the Pinellas County and St. Petersburg area, Rob Healy is a founding partner of Salter, Healy, Bassett & Rivera and an accomplished trial lawyer. Rob honed his trial skills while representing big corporations and insurance companies for one of the largest defense firms in the state of Florida before teaming up with Brad Salter to found Salter Healy. Today, Rob continues to maintain his passion for providing ordinary people with extraordinary legal service. By only representing Plaintiffs now, Rob uses his past experience representing insurance companies to the advantage of his wrongfully injured clients.

## *Brad Salter*

A founding partner of Salter, Healy, Bassett & Rivera, Brad Salter helped create the firm with the intention of providing effective legal service, along with compassion, those who are injured. Brad is a board certified attorney who has practiced in St. Petersburg for over 20 years. Brad honed his skills at a large insurance defense firm after graduating from law school. While with that firm, he earned his Board Certification in Civil Trial Law, which made him the youngest board-certified civil trial lawyer in the state at the time. Shortly after obtaining board certification, Brad decided to change the focus of his practice and represent the injured, instead of the insurance companies.



## *R. Evan Bassett*

R. Evan Bassett is a Board Certified Civil Trial Lawyer who has practiced in Florida for nearly 20 years. Evan is a fifth generation Floridian. He attended high school at Berkeley Preparatory School in Tampa and has lived in the Tampa Bay Area all of his life. He attended Furman University where he obtained his Bachelor of Arts degree with a major in Spanish, and with minors in Political Science and Communications. While at Furman, Evan was invited

for membership in the Phi Sigma Iota International Foreign Language Honor Society, and the Sigma Delta Pi National Hispanic Honor Society.



## *Daniella Rivera*

Daniella Rivera is a bilingual attorney practicing in the area of civil litigation, with a focus on personal injury. She is first generation American from El Salvador; born in Baton Rouge, Louisiana, her college endeavors eventually led her to St. Petersburg, FL. Daniella joined Salter, Healy in 2007 and was able to hone her skills while earning her Juris



Doctor degree from Stetson University College of Law. Daniella focuses on working closely with her clients and has a passion for providing ordinary people with extraordinary legal service. Daniella focuses her entire practice on fighting for the rights of those who have been injured in car accidents, motorcycle accidents, bicycle and pedestrian accidents, slip and falls, premises liability and other personal injury cases.



SALTER, HEALY, BASSETT & RIVERA  
PERSONAL INJURY TRIAL ATTORNEYS