

Distracted Driving Accident Checklist

Steps to take after a distracted driving accident

Based on Denver Distracted Driving Accident Lawyer by McCormick and Murphy

1. Documenting the Scene

Gather immediate evidence at the accident site.

- Note any signs of driver distraction observed.
- Identify potential witnesses and collect their contact information.
- Take photos of the accident scene from multiple angles.
- Document the position of vehicles and any debris.
- Record the weather and road conditions.

2. Gathering Driver Information

Collect details from the other driver(s) involved.

- Obtain the other driver's name and contact information.
- Record the other driver's insurance information.
- Note the other driver's vehicle make, model, and license plate number.
- Ask if the other driver was using a mobile device.

3. Interacting with Law Enforcement

Cooperate with police and ensure a report is filed.

- Call the police to the scene.
- Provide accurate information to the responding officer.
- Request a copy of the police report.
- Note any observations the police report makes about driver distraction.

4. Collecting Digital Evidence

Preserve potential digital evidence related to phone use.

- Note if the other driver was seen using a phone.
- Consider if traffic camera footage might exist.
- Inquire about event data recorders (black boxes) in vehicles.
- Preserve your own phone records if relevant.

5. Seeking Medical Attention

Prioritize your health and document any injuries.

- Seek immediate medical attention for any injuries.
- Follow all doctor's recommendations for treatment.

- Keep detailed records of all medical appointments and bills.
- Note any pain or discomfort experienced after the accident.

6. Legal Consultation

Understand your rights and options with legal representation.

- Consult with an attorney experienced in distracted driving accidents.
- Discuss the details of your accident with your lawyer.
- Understand how your lawyer can obtain phone records.
- Learn how witness statements can be used.
- Ask about obtaining social media timestamps and app usage data.

7. Preserving Evidence

Take steps to ensure all relevant evidence is secured.

- Keep records of all communications regarding the accident.
- Do not alter or delete any digital information from your devices.
- Provide all collected evidence to your attorney.
- Allow your attorney to subpoena phone records.

Resources & Further Reading

Use these pages while working through the checklist:

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■ Sample Case Result

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Gather evidence and seek legal counsel to pursue your distracted driving claim.