Article Side
Comparative and Contributory Negligence Theories: Bases in Figuring out Fault in an Auto Accident by Ethan Rehman

Article published on March 9th 2012 | Business

In vehicle accident cases, determining who is at fault is one of the main concerns involved parties. Usually, the driver who struck the other car is at fault, even if it is an accident or done out of malice. However, the nature of the mishap and the accounts from both parties may produce a result different from the standard. In other words, determining the blame is not always easy.

Police thoroughly review the area of the crash to provide specific information of what really took place. Some cases of car accidents look direct and evident, but there are also collisions that are vague in plain sight. In addition, both the victim and the one at fault can be liable for a car crash. In this case, the court divides the accountability to both parties depending on the result of the investigation.

Negligence is a usual issue when it concerns car accidents, as every driver on the road has a responsibility to exercise caution. Although the one responsible had no motive of ramming the victim's car, he can still be held responsible for neglecting to execute safe driving techniques. The legal system in the United States specifies and follows either of two type of negligence in figuring out who is at fault.

Contributory: The auto accident attorney Salt Lake City has to offer says the injured party in a car accident is not entitled to recover losses if he is to some extent at fault. Assuming that this is the case, then a state makes use of the contributory negligence theory to fix claims in court. It is still being used in a couple of states, besides Utah. It may seem unjust, but, as mentioned previously, a driver has the obligation to exercise caution in driving.

Comparative: The comparative negligence theory is a less rigid concept and is widely used in most states. If both parties are accountable for the accident, the court determines the gravity of each side's liability based on statements and official reports. The auto accident attorney Utah residents seek advice from says an injured party's recovery claims can be cut by 20 percent if the party is 20 percent accountable.

However, there are restrictions to the comparative negligence theory. The injured party that is 50 percent liable or more is not qualified to claim recovery assets since it appears that he is largely at fault. The Utah auto accident attorney says that, in some states, the plaintiff's damages could be reduced if he is partly at fault for his own traumas.

Article Source:
http://www.articleside.com/business-articles/comparative-and-contributory-negligence-theories-bases-in-figuring-out-fault-in-an-auto-accident.htm - Article Side

Ethan Rehman - About Author:
For more informations, please search a auto accident attorney Salt Lake City, a auto accident attorney Utah and a Utah auto accident attorney in Google.

Article Keywords:
auto accident attorney salt lake city, auto accident attorney utah, utah auto accident attorney

You can find more free articles on Article Side. Sign up today and share your knowledge to the community! It is completely FREE!