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Bringing a Compensation Claim against a Family Member by [Sean Burke](#)

Article published on April 19th 2012 | [Shopping](#)

It's not unusual to want to claim compensation after being injured in road traffic accident. However, if it was a family member who caused the accident, filing a claim against them can be far more daunting. This process is made even more unique if the claimant is under 18-years-old. Though you may be unsure of how to go about handling such an emotionally difficult situation, it's useful to know that filing compensation against a family is completely within your rights and actually a fairly straightforward process.

As with any personal injury claim, you are often required to provide proof of your injury. This can be in the form of a medical examination report that details your injuries and how they have negatively impacted your life. Any photographic evidence of injuries may also be useful. Once the information is assembled, your solicitor or legal advisor can approach the family member's insurer, who will then make an offer on the claim. Depending on whether or not the offer is sufficient, your legal team may negotiate with the insurer on the amount of compensation money deserved.

Though the litigation process may seem straightforward enough, you may wonder how to go about making a claim if you are under the age of 18. In this case, a parent can appoint someone to make the claim on your behalf. That individual, who can either be a relative or a family friend, is known as the "Litigation Friend".

Another unique aspect of child claim hearings is the actual reward payment process. When the claimant is a minor, the compensation award is often held by the Court Funds Office until the individual turns 18. However, if there's evidence that the minor genuinely needs the compensation money, the Litigation Friend can ask the judge to allow all or some of it to be paid out earlier. However, the Litigation Friend must be able to provide proof that the minor truly needs the funds for a legitimate purpose (such as school tuition).

Thus, while it may seem unusual to file a claim against a family member, it's important for injury victims to know that it is a viable option. In fact, as long as your family member is willing to accept liability, it can actually be a far more amenable process than if you were to file a claim against a stranger. It's also helpful for minor to know that, despite being unable to make personal injury claims themselves, they are still accounted for in the legal process.

Article Source:

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Article Keywords:

Personal injury claims, compensation claim against family,

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