

After a car wreck, dealing with insurance companies can feel overwhelming, especially when your claim is delayed, denied, or undervalued. Understanding what "bad faith insurance" means in Louisiana is crucial to protecting your rights and maximizing your recovery. This post explains bad faith insurance in the context of Louisiana car accident claims, highlights important legal changes effective soon, and shares expert tips on finding a Lafayette injury lawyer who truly understands the local landscape—beyond flashy billboards and generic promises.

Understanding Bad Faith Insurance in Louisiana Car Accidents

Simply put, **bad faith insurance** occurs when an insurance company fails to handle your claim fairly and promptly. Examples include:

- **Bad faith delays:** Unreasonable waiting to process or approve your claim without legitimate cause.
- **Denied claim Louisiana:** Wrongfully refusing to pay your claim without a reasonable basis.
- **Lowball settlement offer:** Offering substantially less than your claim's fair value.

Insurance companies in Louisiana owe you a duty of good faith and fair dealing. When they breach that duty, you may have a valid bad faith claim allowing you to pursue additional damages beyond your accident injuries.

Important Louisiana Legal Changes Impacting Your Car Accident Claim

Louisiana's laws governing car wreck cases and insurance practices are changing in ways every injured driver must know:

1. Two-Year Prescription Deadline Starting July 1, 2024

Historically, Louisiana gave accident victims one year to file a personal injury claim after a car wreck. However, effective **July 1, 2024**, the prescription period extends to **two years**. This change means:

- You will have more time to gather evidence and find the right attorney.
- It remains critical to begin the claims process promptly—don't rely solely on the extended deadline.
- Always confirm your accident date carefully—because prescription runs from that date, not from claim denial or settlement offers.

This timeline applies to injury suits, so writing down and double-checking important dates during consultations is essential for your claim's survival.

2. 51% Fault Bar Effective January 1, 2026

Louisiana's comparative fault rules will change in 2026. Currently, if you are *more than 50% at fault* in a wreck, you cannot recover damages. The upcoming modification will:

- Explicitly bar recoveries if fault exceeds 51% instead of 50%.
- Increase the threshold slightly, but still requires careful fault assessment.
- Make consulting an experienced Lafayette injury lawyer a must to accurately evaluate your fault percentage.

3. Paid vs. Billed Medical Expenses Rule for Suits Filed on or After January 1, 2026

Another critical change taking effect January 1, 2026, relates to medical expense calculations in lawsuits. Louisiana courts will consider only **paid medical expenses instead of billed amounts** when calculating damages for

personal injury claims. This rule change means:

- Medical providers' charged amounts often exceed what insurance or Medicaid actually pays.
- Your settlement or trial award may look smaller if billed expenses are used improperly.
- Legal representation experienced with this change can make a big difference in how your damages are presented and valued.

Remember: "maximum compensation" claims that don't explain these nuances or law changes can be misleading. Always ask your lawyer how prescription, fault, and medical expense rules affect your case.



How to Spot and Avoid Bad Faith Insurance Practices

Bad faith insurance practices can seriously undercut your recovery after a wreck. Watch out for:

- **Repeated delays:** If your insurer stalls response times without clear explanations.
- **Unjustified claim denials:** When no investigation or evidence backs their refusal.
- **Lowball settlement offers:** Settlements far below your expected medical bills or lost wages.

These signs often indicate the insurer is acting in bad faith. Instead of accepting a lowball offer, you may need to escalate your claim or hire a skilled injury attorney to negotiate or litigate effectively.

Finding the Right Lafayette Injury Lawyer

It's tempting [leaders-in-law.com](https://www.leaders-in-law.com) to pick a lawyer based on billboard size or review counts from Google Local Map results, but these can be misleading. Here's how you can vet a personal injury lawyer with genuine expertise:

1. **Check Google Search Top 30 Results:** Look beyond the first page. Established firms like **Brandt & Sherman, LLP**, **Broussard, David & Moroux**, and **Laborde Earles Injury Lawyers** often appear consistently due to their reputation and case history.
2. **Verify Louisiana-Specific Experience:** Not all personal injury lawyers understand new rules like the extended prescription or the paid vs. billed medical expenses law. Ask about their knowledge on these topics.
3. **Request Genuine Client References:** Reviews matter, but personal conversations or referrals from trusted sources offer better insight.

4. **Ask About Communication Style:** Good attorneys encourage you to write down questions and answers during consultations, helping you track deadlines and key information.
5. **Avoid Firms with Vague Promises:** Be wary of sites filled with generic filler text or only boasting “maximum compensation” without explaining how Louisiana laws affect your case.

Top Lafayette Injury Law Firms Mentioned Often for Bad Faith Claims

Law Firm Specialty Reputation Highlights Website/Google Presence Brandt & Sherman, LLP Car accidents, bad faith insurance Well-known for aggressive negotiation and thorough preparation Consistently top 30 Google search results & local maps Broussard, David & Moroux Personal injury, insurance disputes Experienced with Louisiana law changes and client education Strong online reviews and detailed website resources Laborde Earles Injury Lawyers Auto wreck claims, medical expense litigation Focus on updated medical billing rules and prescription deadlines Engaged on social platforms and Google Business Profile

Final Thoughts: Protect Your Rights After a Car Wreck

Bad faith insurance tactics—like delays, denials, and lowball offers—are unfortunately common in Louisiana after car accidents. But understanding your rights under evolving laws can empower you to avoid pitfalls and get fair treatment.

Keep these takeaways in mind:

- **Note your accident date precisely** and start your claim early.
- **Don’t accept lowball settlement offers** without consulting a seasoned Louisiana injury lawyer who knows recent legal changes.
- **Vet your lawyer carefully** using reliable sources beyond flashy billboards or empty internet hype.
- **Write down all key information** during consultations to track deadlines and strategies clearly.

When you face a denied claim Louisiana or suspect bad faith delays, firms like **Brandt & Sherman, LLP**, **Broussard, David & Moroux**, and **Laborde Earles Injury Lawyers** can provide strong, knowledgeable representation grounded in Louisiana’s evolving legal landscape.



Remember: The clock is ticking as new laws come into effect, so don't delay reaching out for a consultation—always write key answers down to protect your claim!