ATTORNEY QUICK REFERENCE

PERSONAL INJURY ISSUE SPOTTER

A two-minute screen for lawyers who do not regularly handle injury claims in Mississippi or Alabama.

THE RULE OF THREE: Before declining the file, identify the CAUSE, preserve the EVIDENCE, and calculate the CLOCK.

ASK THESE THREE QUESTIONS

1. **CAUSE -** Could another person, business, employer, property owner, manufacturer, health-care provider, or governmental entity share fault?
2. **EVIDENCE -** Is a vehicle, video, electronic log, phone record, product, scene condition, or witness memory at risk of disappearing?
3. **CLOCK -** Is a limitation, repose, presuit notice, governmental notice, contractual, or procedural deadline already running?

REFER EARLY IF YOU SEE ANY OF THESE

- **Serious harm:** death, surgery, fracture, burn, brain or spinal injury, amputation, scarring, or permanent impairment.
- **Commercial activity:** tractor-trailer, delivery vehicle, rideshare, company driver, industrial site, railroad, aviation, maritime, or offshore incident.
- **Protected claimant:** minor, incapacitated adult, estate, or person whose legal authority to act is unclear.
- **Government involvement:** public vehicle, school, hospital, road, property, agency, municipality, county, or public employee.
- **Hidden third party:** work injury involving a motorist, contractor, landowner, equipment maker, or other non-employer.
- **Complex liability or coverage:** multiple defendants, multiple states, defective product, premises defect, UM/UIM issue, or unclear insurance.
- **Evidence or settlement pressure:** vehicle repair, video deletion, product disposal, recorded statement, release, settlement check, or fast deadline.
- **Troubled procedural posture:** prior counsel withdrew, suit is pending, discovery is overdue, or any suspected deadline is within six months.

FIRST SIX ACTIONS

1. **Record:** exact date, time, location, client identity, adverse parties, and every entity connected to the event.
2. **Calendar:** the earliest plausible deadline and every notice period; do not wait to perfect the liability theory.
3. **Preserve:** photos, video, vehicles, products, 911 material, event data, electronic logs, texts, social posts, and witnesses.
4. **Identify coverage:** personal, commercial, UM/UIM, umbrella, workers' compensation, premises, product, and other policies.
5. **Document damages:** treatment, diagnoses, wage loss, death or estate status, liens, benefits, and out-of-pocket losses.
6. **Stop irreversible acts:** obtain and review releases, authorizations, settlement checks, and recorded-statement requests before the client acts.

DO NOT WAIT FOR COMPLETE MEDICAL RECORDS BEFORE CALLING. Early review may protect evidence, parties, coverage, and claims.

BEFORE YOU TURN DOWN AN INJURY CASE, CALL PEPPER & ODOM | (601) 202-1111

WHERE PERSONAL INJURY CLAIMS HIDE

A client may never use the words "personal injury." Listen for the event behind the legal problem.

PRACTICE FILE	INJURY ISSUE TO SPOT
Family law	Collision, assault, disability, injury proceeds, a child's claim, liens, or settlement-approval issues affecting the family matter.
Criminal / DUI	Injured victim or passenger, unsafe property, alcohol-provider issues, negligent supervision, or a separate responsible third party.
Probate / estate	Wrongful death, survival claim, correct claimant, estate authority, beneficiary allocation, or a minor's interest.
Bankruptcy	An existing or potential injury claim that may be an estate asset and may require scheduling, disclosure, or trustee involvement.
Employment / comp	A negligent motorist, contractor, property owner, equipment manufacturer, or other third party beyond the employer.
Real estate / general	Unsafe premises, contractor work, animals, defective products, commercial vehicles, inadequate security, or insurance questions.

DEADLINE FLAGS - NOT A LIMITATIONS CHART

JURISDICTION / MATTER	ISSUE-SPOTTING NOTE
Mississippi - ordinary negligence	A three-year catchall often applies when no different period controls. Miss. Code Ann. § 15-1-49.
Mississippi - medical / government	Medical-liability and Tort Claims Act matters have shorter, specialized notice, limitations, discovery, tolling, and repose rules. §§ 15-1-36; 11-46-11.
Alabama - ordinary injury / death	Many personal-injury actions and wrongful-death actions have a two-year period. Ala. Code §§ 6-2-38(l); 6-5-410.
Alabama - medical / municipal	Medical liability has discovery and repose provisions; municipal tort claims may require presentment within six months and a sworn statement. §§ 6-5-482; 11-47-23; 11-47-192.

Never calculate a deadline from this handout. Accrual, underlying claims, parties, notice, tolling, repose, disability, venue, contracts, and federal law may change the result.

FAST REFERRAL PACKET

- **Conflicts:** client and adverse-party names; insurers and related entities.
- **Event:** date, place, short facts, suspected deadline, reports, photos, video, and witnesses.
- **Damages:** injuries, treatment, wage loss, death or estate status, prior conditions, and liens.
- **Coverage and posture:** policies, claim numbers, correspondence, pleadings, orders, offers, checks, and releases.
- **Requested relationship:** preliminary review, full handoff, co-counsel, case funding/resources, or Mississippi/Alabama local counsel.

WHAT HAPPENS NEXT - THREE STEPS

1. **Conflict check:** share only the information reasonably needed for the initial check.
2. **Lawyer-to-lawyer review:** discuss liability, damages, evidence, coverage, deadlines, expenses, and procedural posture.
3. **Choose the path:** with client authorization, document a full handoff, co-counsel relationship, resource role, or local-counsel arrangement.

YOUR CLIENT STAYS RESPECTED. YOUR RELATIONSHIP STAYS PROTECTED. THE CASE GETS THE RESOURCES IT NEEDS.

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Educational attorney issue-spotting aid only; not a substitute for independent legal research or a claim-specific limitations analysis. No attorney-client, referral, or co-counsel relationship is formed until confirmed in writing. Client choice, conflicts, applicable professional-conduct rules, and engagement terms control. Authorities checked August 17, 2026; verify current law before distribution or reliance.