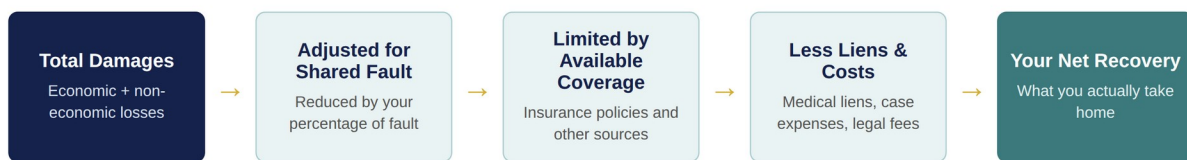


What Is My Case Worth?

A Client Guide from the Law Offices of Jason G. Krantz, PC

It's the first question almost every injured person asks — and the honest answer is that no two cases are worth the same amount. Online calculators and “average settlement” figures can't account for the details that actually drive value. What we can do is explain how injury claims are valued in New York, so you understand what goes into the number and what can raise or lower it.

From Total Damages to Your Net Recovery



The Types of Damages You Can Recover

Category	What It Includes
Economic damages	Past and future medical expenses, lost wages, loss of future earning capacity, rehabilitation, home care, and out-of-pocket costs
Non-economic damages	Pain and suffering, emotional distress, loss of enjoyment of life, scarring, and disfigurement
Loss of services (consortium)	A spouse's claim for the loss of companionship, support, and services caused by the injury
Punitive damages	Rare — awarded only for especially reckless or intentional conduct, to punish rather than compensate

Good to know: New York does not cap damages in most personal injury cases — including pain and suffering — so the value of a claim depends on the evidence, not on a statutory limit.

Factors That Increase or Decrease Value

Factors that often increase value:

- Severe or permanent injuries, especially those requiring surgery

- Consistent medical treatment with well-documented records
- Clear liability supported by police reports, video, or witnesses
- Significant lost income or reduced ability to work in the future
- Strong evidence of how the injury changed your daily life

Factors that often decrease value:

- Gaps or delays in medical treatment
- Pre-existing conditions affecting the same part of the body
- A share of fault assigned to you under comparative negligence
- Limited insurance coverage available from the at-fault party
- Inconsistent statements or social media posts that undercut the claim

New York-Specific Considerations

- **The No-Fault “serious injury” threshold.** In car accident cases, you can recover pain and suffering from the at-fault driver only if your injury meets New York’s “serious injury” definition. Basic economic losses up to \$50,000 are paid through No-Fault and generally aren’t recovered twice.
- **Insurance limits matter.** New York’s minimum auto liability coverage is \$25,000 per person for injury, and many drivers carry only the minimum. Your own Supplementary Uninsured/Underinsured Motorist (SUM) coverage can be critical.
- **Liens and reimbursement.** Medicare, Medicaid, and certain other payers may have a right to be repaid from a settlement. New York law limits reimbursement claims by many private health insurers.
- **Collateral source offsets.** After a verdict, certain past and future costs covered by other sources may be deducted from the award.
- **Contingency fees.** Most injury attorneys are paid a percentage of the recovery only if they win; medical malpractice fees follow a sliding scale set by New York law.

Why Timing Matters

A claim usually shouldn’t be valued until your doctors understand the full extent of your injuries — including whether you’ll need future surgery or long-term care. Settling too early can leave you paying for future treatment yourself, and once you sign a release, the claim is closed for good. Balancing that with New York’s filing deadlines is one of the most important parts of a case strategy.

The Bottom Line

The value of your case depends on your injuries, the evidence, the available insurance, and how effectively your losses are documented and presented. An experienced attorney can identify every source of recovery and build the record that supports the full value of your claim.

Find Out What Your Case Is Really Worth

Every injury is different, and so is every claim. Schedule a consultation with the Law Offices of Jason G. Krantz, PC, and let's review your case together.

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This guide is provided for general informational purposes only and does not constitute legal advice, nor does it create an attorney-client relationship. Personal injury laws and deadlines are fact-specific and change over time; please consult a licensed New York attorney about your specific situation as soon as possible after an injury.