How Long Does a Car Accident Settlement Take in Texas?

Your Recovery, the Insurance Company, and a Possible Lawsuit All Shape the Timeline

A car accident settlement from an insurance company soon after a crash in Texas can feel like a blessing, especially if bills from your accident are already coming in. If you accept a settlement too soon, though, you could end up leaving money on the table. This is especially true if you need surgery, extensive medical care, or long-term physical therapy.

How long a settlement takes depends on things most crash victims don't control. Your recovery sets the pace first, since no one can value a claim until doctors know where your injuries are headed. Insurance company delays, disputes over fault, and the need to file a lawsuit can each add months.

The Houston car accident lawyers at Smith & Hassler know that waiting is hard when medical bills keep arriving. The driver who caused the crash may be responsible (liable) for paying for your losses, but the insurance company won't make that easy. Getting the timing right is part of getting a fair recovery.

What to Know Before You Settle

- **Treatment Comes First** – Most claims can't be fully valued until your doctors know whether you'll need more care.
- **Insurance Companies Use Timing Against You** – A fast, low offer early on and slow responses later can both cost you money.
- **Texas Has a Two-Year Deadline** – A lawsuit generally must be filed within two years of the crash, even if settlement talks are still going.
- **A Lawsuit Doesn't Always Mean a Trial** – Cases filed in court can still settle, including at mediation.
- **A Settlement Is Usually Final** – Once you sign a release, you generally can't ask for more money later.

Why Your Medical Treatment Sets the Pace

The biggest factor in your settlement timeline is usually your own recovery. Until your doctors know whether you'll heal fully, need surgery, or live with lasting limits, nobody can put an honest number on your claim. Some injuries, like whiplash or a concussion, can also cause symptoms that show up days later.

Doctors sometimes describe the point where your condition has leveled off as maximum medical improvement. It doesn't mean you're fully healed. It means doctors can predict the

care you'll need from here, which lets your lawyer put a price on future treatment instead of guessing.

Following your doctor's plan matters during this stretch. Skipped appointments and long gaps in care give the insurance company an excuse to argue you weren't really hurt. Keeping up with your medical treatment after a car accident protects your health and creates the records that support your claim.

What Happens After Your Treatment Ends?

Once your treatment is complete, or your doctors can predict your future care, your lawyer gathers the records. That usually includes medical bills, treatment notes, proof of lost pay, and photos of the crash and your injuries. The goal is to show the insurance company the full picture, not just the emergency room bill.

Your lawyer then sends a demand letter to the at-fault driver's insurance company. It explains what happened, why the driver they insure is at fault, and how much money it will take to settle. The insurance company reviews it and responds with an offer, a request for more information, or a denial.

Negotiation usually takes several rounds. The first offer is often low, and you're allowed to push back and ask for more. Each counteroffer can take weeks. That's especially true when the claim involves surgery, lost earning ability, or a dispute over what caused your injuries.

Why Do Insurance Companies Rush Some Offers and Stall Others?

Timing is one of the main tools an insurance company uses to control what it pays. Early on, that can mean a quick, low offer before you know what your injuries will cost. If you turn it down and push for the maximum compensation, the same insurance company might suddenly slow everything down. Watch for these tactics:

- **Making a Quick, Low Offer** – An early check may come with a release that ends your claim before you know what treatment you'll need.
- **Asking for More Records** – An adjuster may request years of old medical history, hoping to find a prior injury to blame.
- **Disputing Fault** – The insurance company may argue you were partly at fault, which can reduce what you recover.
- **Asking for a Recorded Statement** – Adjusters may ask for a recorded statement, then use your own words to question your claim.
- **Waiting Out the Clock** – Slow responses can push a claim close to the two-year deadline to file a lawsuit.

Never give a recorded statement to the at-fault driver's insurance company, and don't discuss your injuries with its adjuster. Anything you say can be used to reduce your claim. Let your

lawyer handle all contact with the insurance company, so delays and lowball tactics get answered with evidence.

When Should You File a Car Accident Lawsuit in Texas?

Deciding whether or not to file a lawsuit or accept a settlement offer can be difficult. In many cases, though, taking legal action may be the best way to get the money you deserve. A lawsuit gives your lawyer tools a claim doesn't have. During the early phase of a lawsuit known as discovery, the other side must hand over records and answer questions under oath. The court also sets a schedule, which makes it harder for the insurance company to drag things out.

Waiting too long to take legal action can cost you your case. Texas generally gives you two years from the date of the crash to file a personal injury lawsuit. That deadline, called the statute of limitations, keeps running while you negotiate. If it passes, the insurance company has no reason to pay you anything, no matter how badly you were hurt.

A lawsuit can add months until your case is finalized. This often includes time spent taking depositions, which are recorded interviews with witnesses. Filing suit doesn't mean your case will go to trial. Texas courts can refer a case to mediation, where a neutral person helps both sides try to reach an agreement. An approaching trial date can also put pressure on a stubborn insurance company to take action.

The Stages of a Texas Car Accident Claim

Every claim is different, but most follow the same general path. Some cases end early with a fair settlement, while others move through every stage. Here's what happens at each step and what can slow it down:

Stage	What Happens	What Can Slow It Down
Medical treatment	You get care until doctors can predict your future needs	Surgery, new symptoms, or a long recovery
Investigation	Your lawyer gathers the crash report, photos, witness statements, and records	Missing records or slow responses from providers
Demand and negotiation	Your lawyer sends a demand, and the insurance company responds with offers	Low offers, fault disputes, or requests for more records
Lawsuit and discovery	Both sides exchange evidence and take depositions	Court schedules, motions, and disputes over evidence

Stage	What Happens	What Can Slow It Down
Mediation or trial	A mediator helps the sides negotiate, or a judge or jury decides the case	Trial dates that get moved
Final paperwork and payment	You sign a release, liens get resolved, and the money is paid out	Repayment claims from Medicare or a health insurance company

Why Settling Too Fast Can Cost You Money

A settlement is usually final. When you accept, you sign a release, a document that gives up your right to seek more money for the crash. If you need surgery six months later, the cost generally falls on you, not on the driver who caused the crash.

Be careful with paperwork tied to your vehicle. The insurance company may pay for car repairs quickly, which is fine on its own. A property damage release with broad language, however, can sometimes reach your injury claim. Have your lawyer review anything the insurance company sends before you sign it.

Waiting can also put pressure on the insurance company. If your case goes to trial and you win, Texas law adds prejudgment interest, which is interest for the time before the judgment. It generally starts 180 days after the at-fault party receives written notice of your claim. If the lawsuit is filed sooner, it starts on the filing date.

What Happens After You Agree to a Settlement?

Agreeing on a number isn't the last step. You'll sign a release, and the insurance company sends payment, usually to your lawyer's trust account. Your lawyer then pays any liens before sending you your share. A lien is a legal claim to part of your settlement by someone who paid for your care.

If Medicare paid any of your crash-related medical bills, it has the right to be repaid. The Centers for Medicare & Medicaid Services calls these conditional payments that must be repaid when you receive a settlement. Medicaid and health insurance companies may also seek repayment, and sorting out the final amounts can take time.

Handling these claims correctly protects you later, since an unpaid lien can follow you after the case closes. Your lawyer can often negotiate these amounts down, which can put more of the settlement in your pocket. A careful review before payout also catches charges that have nothing to do with the crash.

How a Settlement Timeline Might Play Out

Picture a 34-year-old nurse who is rear-ended at a red light on Westheimer Road in Houston. She goes to the emergency room with neck and back pain. Two weeks later, the at-fault driver's insurance company offers her $5,000 if she signs a release. The adjuster tells her the offer won't last.

She turns it down and keeps up with treatment. An MRI later shows a herniated disc, and her doctor recommends injections and possibly surgery. Several months pass before her doctor can say what long-term care she'll need. During that time, she misses shifts, and her medical bills keep growing.

Her lawyer could then send a demand covering her future care and lost pay, not just the hospital visit. If the insurance company refused to make a fair offer, her lawyer could file suit before the two-year deadline. Every case is different, and the result would depend on the evidence.

Talk to a Houston Car Accident Attorney Before You Settle

Waiting for a settlement is hard when you're out of work and the bills keep coming. Accepting the first offer can feel like relief, but it can leave you paying for care the insurance company should have covered. The right timeline is one that accounts for your full recovery.

Our team of Houston car accident attorneys has represented injured Texans since 1989. We can gather your records and deal with the insurance company. You focus on getting better while we push for a settlement that covers what you've lost. We also watch every deadline, including the two-year limit to file suit.

If you're waiting on a car accident settlement in Houston, schedule a free consultation to see how we can help. There are no upfront costs, and you pay nothing unless we win. We'll explain where your claim stands and what may come next. Our attorneys are ready to fight for every dollar you're owed.