



BRAIN INJURY



Overview

Every year, as many as 1.4 million Americans suffer a brain injury. Brain injuries can be caused by anything from a car accident to a fall in the shower. Since some brain injuries can be difficult to detect (particularly so-called "mild" brain injuries), they are often misdiagnosed or missed altogether.

What Is Brain Injury?

Terms like "head injury," "brain injury," "head trauma," and "traumatic brain injury" are often used interchangeably and refer to some kind of physical trauma to the head and brain -- like a blow, shake, penetration, or bump -- that causes a disruption to the brain's normal functioning. Brain injuries can range from mild to severe, and symptoms can be subtle.

Concussion. A concussion is a violent shaking of the brain caused by a jolt or blow to the head. Concussions are common in contact sports (it's estimated that 30% of football players suffer a concussion every season) and can result in permanent brain damage.

Closed head injuries. "Closed" head injuries may not be obvious. Some brain injuries can be obvious, like those caused by a sharp object (a rock or bullet) penetrating the skull. But brain injuries can also result from so-called "closed" head injuries. With a closed head injury (whiplash, for example), there is little noticeable damage to the head (no external bleeding, for example), but damage to the brain can still be significant.

Acquired brain injury. This is the name given to a type of brain damage that doesn't result from external physical trauma to the head. Acquired brain injury has an internal cause and results when brain cells are deprived of oxygen. Common causes of Acquired Brain Injury include near-drowning accidents, exposure to toxic substances (like lead), and medication misuse.

Common Symptoms of Brain Injury

Symptoms of brain injury vary depending on the type and severity of the damage. Common symptoms of traumatic brain injury include:

- persistent headache
- inability to concentrate
- memory loss
- dizziness
- fatigue or listlessness
- changes in mood, behavior, or cognitive function (for example, trouble reading, thinking, speaking)
- nausea, and
- blurred vision.

Loss of consciousness is common but not essential. It is common for brain injury sufferers to experience some period of unconsciousness after head trauma or an accident. But even very severe brain injury can occur without total loss of consciousness.

Symptoms can appear over time. Brain injuries -- particularly so-called "mild" brain injuries -- can be difficult to recognize and are commonly misdiagnosed or missed at the emergency room. A delay between the accident and the onset of symptoms is common. In fact, a brain-injured person may appear to be fine right after an

accident, but may feel or act differently days or weeks later. This is why it's important to get medical attention if you suffer any kind of blow to the head, even if you feel fine or think the head trauma was "minor."

Lawsuits

Most brain injury lawsuits are based on negligence. A negligence claim requires the person bringing the lawsuit (the "plaintiff") to prove that the party they are suing (called the "defendant") is legally responsible (or "at fault" for) the injury.

To succeed in a legal action based on negligence, a plaintiff must show all of the following:

- The law required the defendant to be reasonably careful (in legalese, the defendant owed the plaintiff a "duty of care").
- The defendant failed to act with reasonable care toward the plaintiff.
- The defendant's action (or inaction) was the cause of the plaintiff's injuries.
- The plaintiff suffered injuries and/or losses that are measurable under the law.

Contact Wright Law Firm

If you were injured or lost a loved one in an accident caused by someone else's negligence, you need an experienced personal injury lawyer. We have more than 20 years of combined legal experience. To learn more about our services, contact us online or call **(480) 558-1700** today for a free initial consultation.