

Step 1. Commence a claim in court (if the demand is not paid)

If you are going to commence a claim in Court you should get legal advice. Note: if the case goes to Court it is unlikely that a community legal centre or Legal Aid will represent you. If you are making a claim against an insurance company, they will be represented and will seek legal costs if they win the case. It may be worth trying to reach agreement with the insurance company rather than going to court.

To get help with filing a claim against the other driver in court:

1. Call your state or territory's Legal Aid
2. Seek assistance at your Local or Magistrates Court
3. Check your state or territory's Legal Aid Motor Vehicle Accident information page.

The time limit to commence action in Court is usually 6 years from the date of the accident (when the debt was incurred) or 3 years in the Northern Territory