

Step 1. The other party has not admitted partial fault

If you claim that you are not 100% liable, you should read the road rules that apply in the State or Territory and see what rules may support you not being entirely at fault. You should write a statement as to what occurred, and provide any witness names and contact details. A diagram of where the incident took place and any photos of damage to your car or the other driver's car is also useful. If you and the other party cannot agree on fault or how much each of you are liable to the other for, then it is open for either party to commence legal proceedings. Courts are the dispute resolution mechanism.

Depending on the amount of the claim and what jurisdiction you are in this can lead to court costs. To find a private solicitor, go to your state's Law Society web page:

- [ACT Law Society](#)
- [NSW Law Society](#)
- [Law Society Northern Territory](#)
- [Queensland Law Society](#)
- [Law Society of South Australia](#)
- [Law Society of Tasmania](#)
- [Law Institute of Victoria](#)
- [Law Society of Western Australia](#)

If you have limited means, contact your State's Legal Aid or local Community Legal Centre for advice. For contact details and links to these organisations go to the [Getting Help Fact Sheet](#).