**What is Meant by Bad Faith in Auto Accident Claims?**

Also known as insurance fraud, bad faith is the term used in cases where the consumers and businesses have been mistreated by insurance providers. Bad faith claims arise when an insurance company wrongfully denies a potential claim and refuses to pay the insured, leading to the violation of the insurance policy terms and conditions. Unfortunately, it is a common occurrence in personal injury cases, like auto accident claims, depriving the victim of the coverage to the damages they sustained during the accident.

**Understanding Insurance Bad Faith Claims**

If an insurance provider violates any laws of Illinois pertaining to insurance claims or fails to justify the obligations that have been stated in the policy, it is said that it has acted in bad faith. Some examples of bad faith of insurance companies include:

* Changing terms of your policy without notifying you, and negotiating your auto accident claim based on the new policy
* Intentionally misconstruing the terms of your policy to reduce or deny your auto accident claim
* Engaging in fraudulent or illegal activities
* Using tactics to delay your claim or make the case go on for long to benefit from judicial loopholes
* Not performing investigation of your accident, and determining the claim amount based on incomplete documentation and facts
* Forcefully convincing you into obtaining cheaper and less effective medical treatments by claiming your policy does not cover the expensive ones, even it does
* Purposely withholding information that can benefit you in order to avoid paying the full or fair amount of your auto accident claim

However, it is not necessary if your claim has been denied, the insurance company is acting in bad faith. A simply assessment mishap or error leading to reduce claim amount is enough to constitute as bad faith. If you want to file a bad faith claim, you must be able to prove that the insurer ignored potential evidence, tampered the policy terms, or failed to conduct a thorough investigation to gather evidence.

## What Damages are Available in Bad Faith Cases

## While most states allow a tort claim for bad faith, Illinois does not. Instead, violation pertaining to insurance claims are governed by [215 ILCS 5/155](http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=021500050K155) of Illinois compiled statutes. Under this law, if an insurance company has been engaged in fraudulent acts or unreasonably delay the settlement of a claim, the court may order the insurer to pay attorney fees, along with the penalty amounting up to 60 percent of what the plaintiff is entitled to recover, or $60,000, or the excess of the amount that the company offered the plaintiff in settlement prior to the action.

## Since bad faith claims are complicated and confusing, it is recommended to work with an experienced and reliable [auto accident attorney](http://www.robertedenslawoffice.com/motor-vehicle-accident-lawyer/) who can provide legal assistance for your case. They will guide you through the process, provide a realistic assessment, and prepare for trial to ensure you get what you rightfully deserve. [Contact](http://www.robertedenslawoffice.com/contact/) the Law Offices of Robert T. Edens, P.C. at (847) 395-2200 or online today to schedule your initial consultation.