

# The Ultimate Guide to Handling Maritime Injuries Legally

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According to the CDC, workers in water transportation face a fatality rate over four times higher than the average for all U.S. jobs. If you work at sea, the risks are real and the consequences can be life-changing. **Maritime injuries** often lead to lost income, high medical bills, and long recovery times.

Knowing your legal rights is the first step to protecting yourself. Many injured workers miss out on compensation because they don't understand the laws that apply to them.

You can avoid costly mistakes by learning how the system works. Keep reading to learn how to handle a maritime injury claim with confidence and protect your future.

## Immediate Steps to Take After a Maritime Injury

What you do after an injury at sea will decide how strong your case will be later. First, ***get medical care right away.***

Even if you think the injury is minor, some conditions get worse over time. A medical record also proves the injury happened when and how you say it did.

Inform your employer about the incident right away. Give clear details about what happened and who saw it. Make sure you keep your own copy of the report.

You should also protect your claim by taking these steps:

- Write down exactly what happened while it's fresh in your mind
- Avoid signing anything before getting legal representation
- Get names and contact details of any witnesses
- Take photos of the injury, the scene, and any equipment involved
- Keep all medical bills, receipts, and related documents

Be sure to speak with a Defense Base Act lawyer if your job involves overseas civilian work for the U.S. military or government contractors. This includes jobs on ships, docks, or offshore projects that support military operations.

## **Determining Your Legal Rights and Available Claims**

The law that applies to your case depends on your job. If you're a seaman, the [Jones Act](#) gives you the right to file a negligence claim against your employer. It covers crew members on:

- Cargo ships
- Tankers
- Fishing vessels
- Tugboats
- Other working ships

Dockworkers and harbor workers are covered under the Longshore and Harbor Workers' Compensation Act (LHWCA). It provides medical care and wage benefits for injuries that happen on or near navigable waters.

Some cases fall under ***General Maritime Law, which includes claims for unseaworthiness and maintenance and cure***. The law covers injuries from things like unsafe vessels, faulty equipment, or poor working conditions at sea.

If you were injured while working overseas for the U.S. military or a government contractor, you are protected under the Defense Base Act. In that situation, working with an experienced DBA lawyer ensures you claim every benefit the law provides.

## **The Maritime Injury Claims Process Step-by-Step**

The injury claim process starts the moment you get hurt. Start by getting medical treatment and then reporting the incident to your employer in writing. Keep copies of every document.

For **maritime injuries**, legal guidance is critical. Consult with a lawyer, as they will explain your rights and help you avoid mistakes that could weaken your case. A lawyer

will also help you gather evidence, such as:

- Photos
- Witness statements
- Medical records

A lawyer can then ***file a claim by submitting the correct legal forms to the right agency or court***. If your case involves [Defense Base Act claims](#), your lawyer will send the paperwork to the U.S. Department of Labor within the required deadline.

## **Types of Compensation Available to Maritime Workers**

Understanding your compensation rights is the first step in protecting your future after a maritime injury. You can recover compensation for:

- Medical treatment
- Lost wages
- Pain and suffering
- Permanent disability
- Loss of future earning capacity

Seamen are entitled to maintenance and cure under General Maritime Law. It covers daily living expenses and medical bills until you reach maximum recovery.

A ***Defense Base Act attorney guides you in securing the benefits you are entitled to*** under the Defense Base Act. These benefits cover medical care and provide disability payments. They also replace lost wages and offer death benefits to surviving family members.

Mental health coverage is also available under the act. It includes a [Defense Base Act PTSD settlement](#) for trauma linked to your work.

## **Negotiating Settlements vs Going to Trial**

When you settle, you agree to a set amount of money without taking the case to court. A defense base act settlement often means you get paid sooner and avoid the uncertainty

of a trial. The trade-off is that once you accept the offer, you cannot reopen the case if your condition changes.

Taking your case to ***trial can sometimes result in a larger award, but it takes more time*** and carries the risk of getting nothing. Trials also demand strong evidence, legal preparation, and patience during the process.

An experienced DBA attorney can review your situation and help you decide which path fits your needs. The best choice depends on your health, the strength of your case, and how quickly you need financial support.

## **Statute of Limitations for Maritime Injury Claims**

The statute of limitations is the set amount of time you have to start a legal claim. In seafarer injury cases, the ***time limit depends on the specific law that applies to your situation***. Below is a breakdown of common deadlines:

- 3 years from the date of injury under the Jones Act
- 1 year from the injury date under the [Longshore and Harbor Workers' Compensation Act](#)
- 3 years from the date of death for the Death on the High Seas Act
- 3 years for most Maintenance and Cure claims
- 1 year from the injury date under the Defense Base Act

Speak with a lawyer as soon as possible to confirm the correct deadline and file before it expires.

## **Protecting Your Rights After Maritime Injuries**

Recovering from **maritime injuries** is never just about healing physically. You also need to protect your legal rights, secure fair compensation, and act before deadlines elapse. Knowing the laws that apply to your work and the steps to take can make the difference between winning and losing your claim.

At Barnes Law Firm, ***our attorneys have over 20 years of proven experience and are available 24/7***. You won't pay any legal fees unless we win your case. [Call for a free consultation](#) and take the first step toward securing the justice you deserve.