

Seizure-Related Car Accidents: Understanding the Legal Implications

An experienced Los Angeles attorney can fight for your rights

California is an “at-fault” state when it comes to car accidents. Essentially, a person can be held legally and financially responsible for injuring someone else when they cause a crash. But what about a situation where someone causes a crash due to a sudden medical emergency, such as suffering a seizure while behind the wheel?

The Complexity of Seizure-Related Car Accidents

The laws governing these types of rare situations are complicated. That is just one reason why it is important to work with an experienced [Los Angeles car accident attorney](#) if you have been harmed in a crash. The team at [Oaks Law Firm](#) can review your case and investigate any potential legal implications that could affect your right to seek and recover compensation for your losses.

Understanding the Occurrence of Seizures Behind the Wheel

While rare, seizure-related car accidents do happen. A person who suffers a seizure can quickly lose control of their vehicle and crash into someone else. And in many cases, there is no warning or advanced sign that a seizure is about to occur.

At the same time, certain groups are more prone to seizure-related car accidents. A study published in the journal [Neurology](#) found that people with epilepsy are at an increased risk for car accidents. The study identified 29,220 individuals 18 years or older with epilepsy and reviewed their driving records from 2006 to 2013 for serious accidents.

California’s Sudden Medical Emergency Defense

So, how does California law treat a seizure-related car accident? Could a defendant plead epilepsy as a defense to a personal injury claim? The short answer is “yes,” but the full answer is quite a bit more complicated.

Like many fault-based auto accident states, California recognizes a legal doctrine known as the sudden medical emergency defense. Also sometimes called the doctrine of imminent peril, the sudden medical emergency defense allows a defendant to avoid civil liability for a car accident if they can prove the following:

- The defendant experienced a medical emergency.
- The medical emergency prevented the defendant from maintaining control of their vehicle.
- The defendant had no prior knowledge that something like this could happen.

It is critical to emphasize that this is an affirmative defense. This means that the defendant has the burden of proving all of the elements described above. The plaintiff—the accident victim—is not required to simply take the defendant at their word that they suffered a completely unexpected seizure just before the accident.

As you will notice, the sudden medical emergency defense requires that a defendant lack prior knowledge of their risk. So, if a person was diagnosed with epilepsy and had a prior history of epilepsy-related seizures, that would tend to defeat an affirmative defense of a sudden medical emergency. Furthermore, even where a defendant may not be liable due to their condition, there may be other parties who are legally at fault, such as the defendant's treating physician who failed to diagnose a seizure disorder beforehand.

Seek Professional Legal Assistance

A defendant's medical issues can definitely complicate a personal injury claim. A qualified Los Angeles car accident attorney can assist you in reviewing this and other issues that may arise in your own case. Contact Oaks Law Firm today to schedule a [free consultation](#) with a member of our team. We are here to help you navigate the legal complexities and pursue the compensation you deserve.