
Challenges in Proving TBI in Court (Louisiana)

A print-friendly checklist for building proof and closing insurance gaps

The 5-Step Proof Blueprint

- Build a dated timeline from the crash to your first symptoms and the days that followed.
- Tie symptoms to function: work limits, driving issues, headaches, sleep, memory, and mood.
- Keep care consistent: repeat the same history to each provider and keep follow-up appointments.
- Use the right testing: neurologic exams, balance/vision screening, and cognitive measures when appropriate.
- Preserve non-medical evidence: video, photos, texts, calendars, and witness notes.

First 72 Hours: What to Save

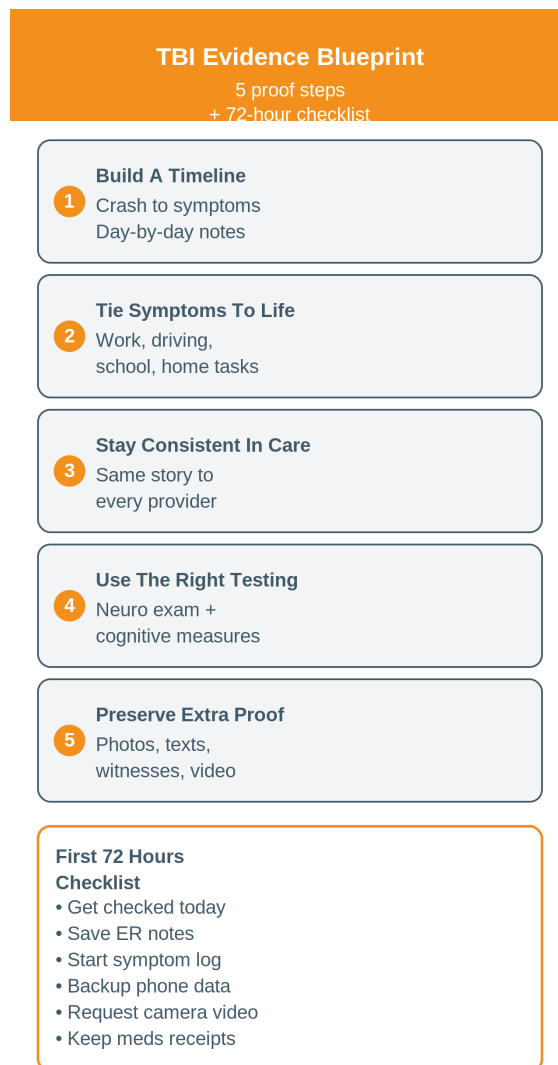
- ER/urgent care discharge papers, referral notes, and any work/school restrictions.
- Photos of bruising, swelling, or head/neck marks, plus the vehicle and the interior.
- Names and numbers for witnesses; ask if anyone has video from nearby cameras.
- A symptom log (short entries): headache, dizziness, nausea, brain fog, sleep changes, irritability.
- Receipts: prescriptions, rides, childcare help, and anything you paid because you could not function normally.

Defense Narrative vs. Quick Counter-Record

Defense angle	What to document
"Low impact"	Symptom log + function limits; missed work/school;
Normal CT/MRI	Clinical exams, balance/vision notes, cognitive measures,
Pre-existing	Baseline records + the change after the crash; new
Delay in care	Why care was delayed + when symptoms started; keep

Infographic 1: Evidence Blueprint

Use this one-page map to organize records before adjusters pick a narrative.



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Infographic 2: Defense vs Evidence

Match each common defense angle with the record that closes the gap.

Defense Vs Evidence	
Common TBI proof gaps	
Defense Angle	Evidence Anchor
“Low impact” means no TBI	Show change in work + daily life on a dated log
No head strike so no concussion	Force to body can jolt the brain note neck + seat position details
CT/MRI normal so you’re fine	Imaging may miss concussion changes use exams + tests from specialists
Pre-existing “that’s why”	Baseline records show the new change after the crash and why it matters
“You’re fine now” so no damages	Track bad days, missed work, limits and follow-up care

[Jump to “Defense Audit”](#)

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Free Case Review: TBI Evidence Triage

If you are within the first 72 hours, acting early can protect the record.

What We Do First

- Lock down time-sensitive evidence (video, vehicle data, witnesses, medical records).
- Spot deadlines and fault issues early so the claim does not drift.
- Build a clean “symptom-to-function” story insurers cannot dismiss as vague.

Contact

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