

The Price of Proving You're Right: A New Path to Financial Recovery

When "Winning" Still Costs You Thousands

In the world of auto claims and property disputes, a recurring theme persists: it costs money to prove you are right. Whether you are fighting an insurance company for fair market value or defending yourself against a baseless legal claim, the process itself can be financially draining.

Often, you reach the finish line—you get the settlement or the case is dismissed—but you are left with a mountain of attorney's fees. You've "won," but your bank account has lost.

At our appraisal firm, we specialize in making people whole after a loss. Usually, that means establishing the true Diminished Value of a vehicle. However, a recent legal development in Georgia (O.C.G.A. § 17-11-6) addresses this same principle of financial wholeness in the court system.

The "Process is the Punishment" Dilemma

In civil and administrative disputes, the transaction costs of justice are unavoidable. You are forced to hire professional help to defend your position. Even when the facts are on your side, Georgia law historically offered few avenues to recover those costs.

A New Precedent for Reimbursement: O.C.G.A. § 17-11-6

Georgia has introduced a statute allowing recovery of reasonable attorney's fees and costs when misconduct occurs. If a prosecutor is disqualified for improper conduct and the case is dismissed afterward, the court may award reimbursement.

This shift reflects procedural accountability. When the state acts improperly, citizens should not bear the financial burden.

When Does This Apply?

This statute applies only when there is a formal finding of misconduct leading to disqualification. It does not apply to dismissals based solely on weak evidence.

The Appraisal Connection: The Fight to Be Made Whole

Whether in legal defense or auto claims, the principle is restitution. If you are in the right, you should not be left financially damaged.

Summary

If you or a professional associate have experienced a dismissal involving attorney misconduct, review O.C.G.A. § 17-11-6 with qualified legal counsel.

Disclaimer: We are professional appraisers, not attorneys. This document provides general information and does not constitute legal advice.

Need to Recover Value on a Vehicle?

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(678) 404-0455