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BLACKBURN **ROMEY**

TRUSTED INJURY LAWYERS

SEPTEMBER 2025



Blackburn Romey attorneys (from left): Frank Wolferd, Ryan Lindinger, Tom Blackburn, Chad Romey, Christopher Blackburn and David Singleton.

Firm Fans Root for the Cubs!





Blackburn Romey staff members attended the Chicago Cubs baseball game against the Pittsburgh Pirates on Aug. 15 in Chicago. Even though the Cubs lost, a fun day was had by all. They enjoyed lunch at Swift Tavern, located across from Wrigley Field, and stopped for dinner on the way home at Freddie's Steakhouse in Hammond (pictured at top left). In that photo, from left, are BR attorneys Tom Blackburn and David Singleton; Tom Metzger, the firm's television and radio ad buyer; and BR attorneys Ryan Lindinger, Frank Wolford, Chad Romey, and Chris Blackburn. "It was a great day," Tom Blackburn said. "A lot of fun and laughs."

Michigan Man Wins Harley Davidson!

Stanley Losikfrom of Springfield, Michigan, is the lucky winner of the Blackburn Romey motorcycle giveaway! Losikfrom's name was drawn on Aug. 29 from hundreds of entries in the annual Harley Davidson giveaway sponsored by Blackburn Romey.

Watch for more details in the October Blackburn Romey newsletter.



Do Pedestrians Have the Right of

Way in Indiana?

Getting hit by a car is one of the most terrifying experiences a pedestrian can face, and for drivers, the aftermath can be just as overwhelming. Around busy areas like downtown sidewalks or trails and popular tourist attractions, it's common to wonder, *"Do pedestrians have the right of way in Indiana?"*

The short answer is: it depends on where and how the person is crossing. Pedestrians often do have the right of way, especially in marked crosswalks and intersections, but there are situations where they're legally required to yield. The law doesn't give automatic priority to those on foot in every situation, it expects both drivers and pedestrians to act responsibly.

At [**Blackburn Romey**](#), we've helped countless clients who didn't fully understand when the law protects pedestrians, and when it doesn't.

Understanding Indiana Pedestrian Right-of-Way Laws

In Indiana, right-of-way rules are designed to promote safety for both pedestrians and drivers. According to [**Indiana Code § 9-21-17-8**](#), a pedestrian must yield to vehicles when crossing at a location where a pedestrian tunnel or overhead crossing is available.

That said, drivers are legally required to yield to pedestrians in marked crosswalks and intersections. Indiana law operates on shared responsibility. Drivers should anticipate pedestrian crossings, and pedestrians must avoid stepping into traffic when it's unsafe.

Do Pedestrians Always Have the Right of Way?

No, pedestrians do not always have the right of way in Indiana. This misunderstanding often leads to unsafe decisions. Pedestrians have legal protection:

- In marked crosswalks
- At intersections with traffic signals
- When crossing and already in the driver's path

However, they must not suddenly step into the path of a moving vehicle. Drivers are expected to yield, but pedestrians can still be liable if they act unpredictably or cross without caution.

Many assume the answer to the question *"Do pedestrians have the right of way*

in Indiana?” is always yes, but that’s not true across every scenario.



Photo by DJ Paine Unsplash

What Happens When There Is No Marked Crosswalk?

Unmarked crosswalks are common in Indiana, especially in residential zones. **So what happens when there is no marked crosswalk?**

Pedestrians may still have the right of way, especially at intersections. Indiana law treats most intersections as having “implied” crosswalks. This means drivers must be prepared to stop for people crossing at corners, even without painted lines.

In areas without intersections or corners, pedestrians should wait until it’s safe and visible to cross. In these situations, people often ask, **Do pedestrians have the right of way in Indiana** when there’s no marked crosswalk? The answer depends on visibility, timing, and whether either party had a chance to avoid the collision.

Drivers should approach these areas with extra caution, especially at night or during heavy traffic. Courts often look at who had the better opportunity to prevent the accident when there’s no marked crossing in place.

Is Jaywalking Illegal in Indiana?

Yes, jaywalking is considered a violation of pedestrian laws in Indiana. However, it’s not typically a criminal offense but rather a traffic infraction that could impact liability in an accident.

Jaywalking occurs when a pedestrian crosses the street outside a designated crosswalk or against a traffic signal. Even though enforcement may be minimal, jaywalking can play a significant role in legal fault after a pedestrian

accident. If someone crosses into an unexpected place and a driver cannot reasonably react in time, courts may assign partial or full responsibility to the pedestrian.

In injury claims, jaywalking may reduce a pedestrian's compensation if they're found partially at fault under Indiana's comparative fault rules.

That being said, drivers still must use reasonable care. If someone is jaywalking and visible, and the driver has time to slow down or stop but fails to, the driver might still be found partially liable.

What to Do If You Were Involved in a Pedestrian Accident

Accidents involving pedestrians are emotionally and legally complex. The minutes and hours after a collision can feel like a blur, especially when injuries or legal questions start piling up. Whether you were the one walking or the one driving, taking explicit action early can protect your rights and help you recover.

Steps to Take Immediately After a Pedestrian Accident

1. **Call 911 immediately.** Make sure emergency services and law enforcement are on the scene. A police report provides essential documentation.
2. **Get medical attention.** Even if injuries appear minor, internal trauma or brain injuries may take hours or days to surface.
3. **Exchange information.** Both parties should exchange names, contact details, and insurance information.
4. **Gather evidence.** Take photos of the scene, skid marks, traffic signs, and injuries. Witness statements can also strengthen your case.
5. **Do not admit fault.** Stick to the facts when speaking with officers or insurance companies. Assigning fault is a legal process.
6. **Consult a lawyer.** Before speaking with insurers or making any statements, talk to an attorney who understands pedestrian accident law.

Many injured pedestrians also wonder [when is it too late to get a lawyer for a car accident](#), since timing can directly affect the strength of their claim. According to the [**Indiana Criminal Justice Institute**](#), drivers must follow specific safety practices to prevent these collisions: yield at crosswalks, slow down in poor visibility, never pass a vehicle stopped at a crosswalk, and always be extra careful when backing up. These shared responsibilities are why every accident needs to be scrutinized; the fault isn't always obvious.

Get Legal Help from Blackburn Romey Today

Pedestrian accidents aren't just scary; they often involve medical bills, lost wages, and legal stress. At [Blackburn Romey](#), we help people across Indiana understand how Indiana's right-of-way laws apply and how to build a strong case.

Request Your Free Consultation

Still asking yourself, **do pedestrians have the right of way in Indiana** in your specific situation? Our team is ready to provide answers. Call **833-FOR-HELP** for a free consultation with Blackburn Romey. Whether you were in the crosswalk or behind the wheel, we'll walk you through your rights and fight to get you the help you need. Don't wait to get the clarity you deserve. We understand how confusing Indiana's right-of-way laws can be, and we're here to protect your rights from day one.

Got Questions?

We have the answers

- [What happens if an excluded driver gets in an accident?](#)
- [What happens if my dog bites someone?](#)
- [What percentage of motorcycle accidents result in injury or death — and why it matters](#)
- [What is truck driver fatigue and how can I prevent it?](#)



Google Reviews



Barbara Evans
5 reviews

★★★★★ a year ago

Frank listened to my concerns with my injury I received due to an automobile accident — Frank, as well as the team in the (South

Bend) office. They were always there for me to answer any questions and concerns I had and made me feel at ease thru every phase of my case.



Nancy O'Dell
Local Guide · 74 reviews · 2 photos



★★★★★ 2 months ago

Chris represented me, and his team did a great job, when I wasn't even sure if I had a case. Ashley was my contact during the final months I worked with them, and between her and Chris I was kept aware of all procedures and she was very adept at explaining what was happening. Thank you, Blackburn Romey, for all your expertise and commitment to my case!



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