

# PERSONAL INJURY CASE PROCESS

A STEP BY STEP OUTLINE OF THE TYPICAL PERSONAL INJURY CASE PROCESS.

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## DATE OF INJURY

It all begins on the day you have been injured. If you have been seriously injured, call 911 immediately or go straight to the Emergency Room. You must seek medical treatment.

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## TREATMENT FOR INJURY

It is most important after an accident injury to get proper treatment. Treatment after an accident can last from a few days to months and years for more serious injuries.

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## INITIAL DEMAND

Your lawyer will then prepare an initial demand to at-fault party or an insurance company for that party. At this time an additional investigation of the accident will be conducted.

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## SETTLEMENT NEGOTIATIONS

Negotiations can start from the beginning of the claim, however they can proceed all the way through trial. The time frame for settlement negotiations depends on several factors.

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## LAWSUIT FILED; DEFENDANT(S) SERVED

If the parties are not able to reach an agreement, we may advise to file a lawsuit. In Texas, there is a 2 year statute of limitations to file a lawsuit for personal injury damages.

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## DEFENDANT(S) RESPOND

The Defendant has approximately 20 days from the date of service to file a response. Once a response is filed with the county clerk, the parties may begin the discovery process.

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## DISCOVERY PHASE

The discovery phase is when the parties discover information about the other parties, the facts surrounding the accident, and damages. It involves oral depositions and interrogations.

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## MEDIATION

If negotiations are still unsuccessful by the time the case is scheduled for trial, the parties may agree on mediating the case. Some courts require the parties to mediate prior to trial.

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## DISBURSEMENT OF RECOVERY FUNDS

Financial recoveries are typically disbursed to the client within 30-45 days of a jury verdict or successful mediation. This depends on responsible parties' ability to pay, and other factors.

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## TRIAL

If the case is not successfully settled at mediation, the parties then head to trial. The trial can last anywhere from 1 to 2 days for simple trial and up to 2 months for a more complex trial.