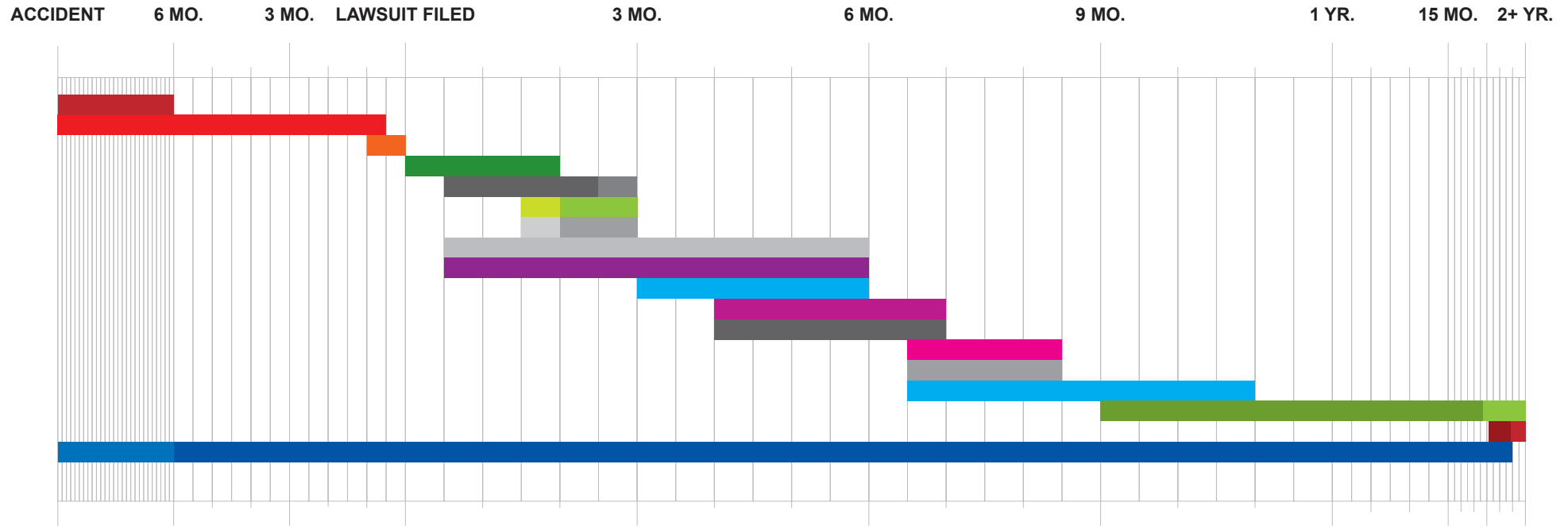
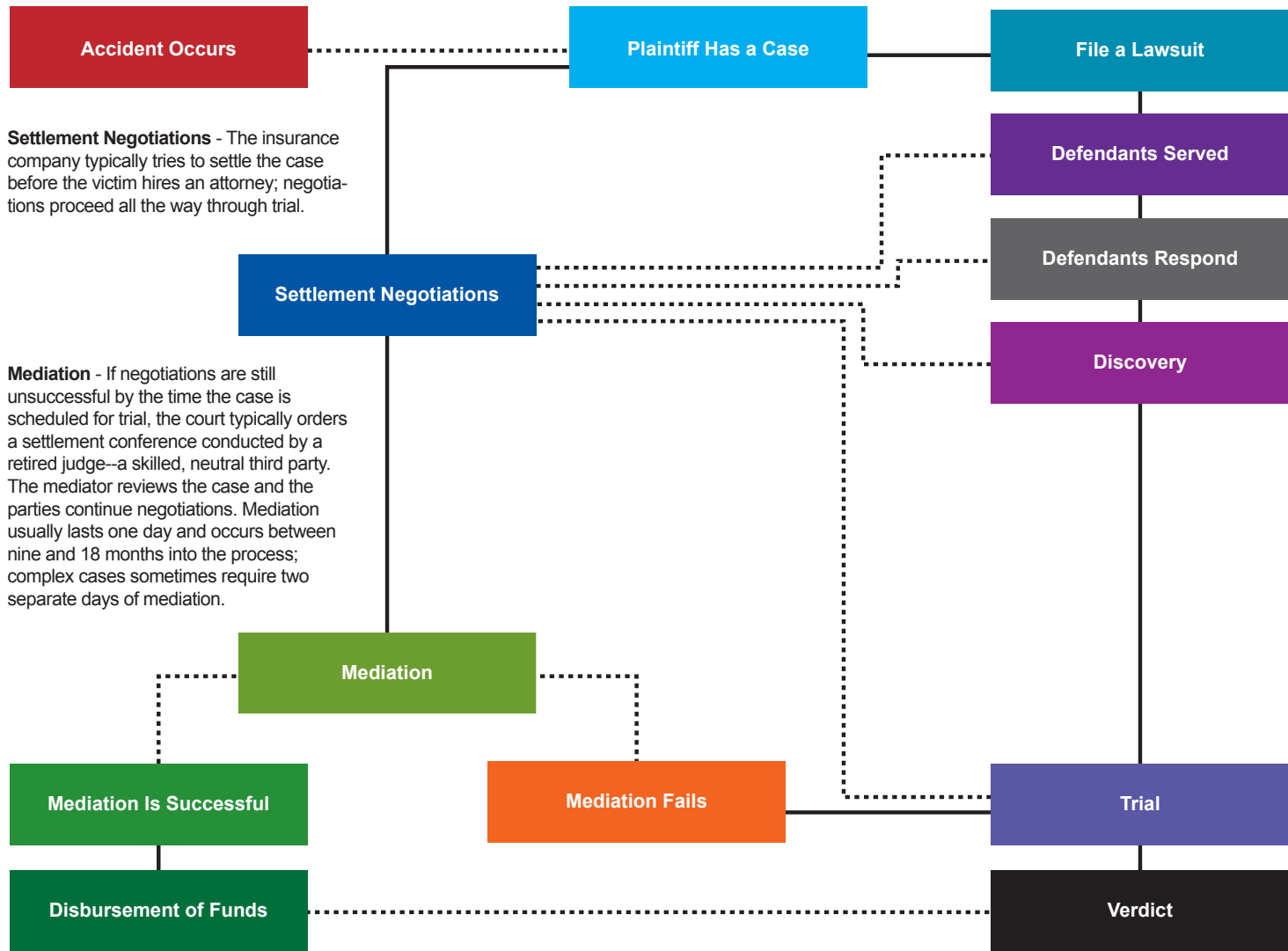


# Timeline of a Typical Personal Injury Lawsuit



- 1 Medical Recovery; Attorney Research** - The victim decides whether to hire a law firm, and/or which firm to hire. This process can take as little as a few days, or may take months. In California, all lawsuits must be filed within two years of the date of the accident. This is called the "statute of limitations."
- 2 Initial Accident Investigation by Attorney** - The police report of the accident is obtained and the firm conducts its own investigation; eyewitnesses are interviewed.
- 3 Settlement Negotiations** - The insurance company typically tries to settle the case before the victim hires an attorney; negotiations proceed all the way through trial.
- 4 Preparation of Lawsuit** - If the victim feels that the defense settlement offer is not adequate, the law firm conducts its final preparation of the lawsuit.
- 5 Lawsuit Filed; Defendant(s) Served** - The courts typically require papers get served on the defendants 30 - 60 days from the date when the lawsuit is filed.
- 6 Defendant(s) Respond** - The defense has 30 additional days from date of service to file its response. It's common for defendants to ask for an additional 15-day grace period.
- 7 Written Questions** - Questions are sent out by both parties within 60 days of the lawsuit. Each side gets assistance from its attorneys and typically has 35 days to respond.
- 8**
- 9 Defense Medical Examination** - It's common for the defense to require the victim to be examined by one of its own doctors. An attorney should be present during these examinations.
- 10**
- 11 Oral Depositions** - Both sides ask questions of key persons in the case. Attorneys for the defendant(s) interview victims and witnesses, and the plaintiff's attorneys depose the defendant(s). Although a deposition is less formal than court testimony, a court reporter is present and statements made can be used at trial. Depositions require a great deal of preparation by both sides.
- 12 Hiring + Investigation by Expert Witnesses** - If the case has still not settled, expert witnesses are hired by both sides to present their respective sides of the case.
- 13**
- 14**
- 15 Disclosure of Expert Witnesses** - Both sides are required to disclose the names of their expert witnesses to each other, as well as the subject of their testimony.
- 16 Depositions of Expert Witnesses** - Both sides conduct additional depositions of expert witnesses.
- 17 Mediation** - If negotiations are still unsuccessful, the court typically orders a settlement conference conducted by a retired judge—a skilled, neutral third party. The mediator reviews the case and the parties continue negotiations. Mediation usually lasts one day and occurs between nine and 18 months into the process; complex cases sometimes require two separate days of mediation.
- 18 Trial** - Trials usually take between four days & two weeks. Simple non-jury trials can take as little as one day, but complex cases can take as long as two months. Jury deliberations can take a few hours to several days.
- 19 Disbursement of Recovery Funds** - Any financial recoveries are typically disbursed to the victim within 30 days of a jury verdict or successful mediation.

# Flowchart of a Typical Personal Injury Lawsuit



**Settlement Negotiations** - The insurance company typically tries to settle the case before the victim hires an attorney; negotiations proceed all the way through trial.

**Mediation** - If negotiations are still unsuccessful by the time the case is scheduled for trial, the court typically orders a settlement conference conducted by a retired judge--a skilled, neutral third party. The mediator reviews the case and the parties continue negotiations. Mediation usually lasts one day and occurs between nine and 18 months into the process; complex cases sometimes require two separate days of mediation.

**Disbursement of Recovery Funds** - Any financial recoveries are typically disbursed to the victim within 30 days of a jury verdict or successful mediation.

**Lawsuit Filed; Defendant(s) Served** - The courts typically require papers get served on the defendants 30 - 60 days from the date when the lawsuit is filed.

**Defendant(s) Respond** - The defense has 30 additional days from date of service to file its response. It's common for defendants to ask for an additional 15-day grace period.

**Discovery** typically involves:  
*Written Questions* - Questions are sent out by both parties within 60 days of the lawsuit. Each side gets assistance from its attorneys and typically has 35 days to respond.  
*Medical Examination* - It's common for the defense to require the victim to be examined by one of its own doctors. An attorney should be present during these examinations.  
*Oral Depositions* - Both sides ask questions of key persons in the case. Attorneys for the defendant(s) interview victims and witnesses, and the plaintiff's attorneys depose the defendant(s). Although a deposition is less formal than court testimony, a court reporter is present and statements made can be used at trial. Depositions require a great deal of preparation by both sides.

**Trial** - Trials usually take between four days & two weeks. Simple non-jury trials can take as little as one day, but complex cases can take as long as two months. Jury deliberations can take a few hours to several days.