

PERSONAL INJURY FLOWSHEET

Client Interview

Obtain pertinent information

SSN

DoB

Address

Place of employment

Spouse & children

Place of accident

Date of accident

Description of accident

Names of witnesses

Did client give written or oral statement?

Injuries

Prior injuries (and names of providers)

Medical history

Work history

Lost wages or earning capacity due to accident?

Identify all health care providers

Applicable insurance carriers (policy nos., adjusters, etc.)

Has client sought social security disability or private disability?

Any photographs of accident scene, vehicles, injuries, etc.?

Did accident occur at work (if so, potential work comp claim)

Obtain Medical Release

Obtain Retainer Agreement (or later if still only investigating)

Letter to client - we will begin investigation, gather medicals, etc.

Identification of all Statutes of Limitations after client interview

Identification of all Statutes of Repose after client interview

Put UM carrier on notice (if applicable)

Request accident report (if applicable)

Request medical records

Follow-up in 3-4 weeks if no receipt

Request applicable insurance policy from client (if applicable)

Request driving record of adverse party and own client (if applicable)

Request Department of Safety reports of accident (if applicable)

Need to take any photographs (accident scene, vehicles, injuries, etc.)?

Medical research

Identify types of research needed?

Interview witnesses

Recorded statements needed?

Legal research on causes of action

Identify all viable causes of action

Do we need expert to evaluate other possible claims (i.e., products liability)?

Letter to client - not handling other potential causes of action (i.e., products liability);

advise client to seek other representation if he/she wishes to pursue

Confirm applicable statutes of limitation
Confirm applicable statutes of repose
Questionnaire to client (to answer discovery requests) with explanatory letter to client
Follow-up with client in 3-4 weeks on questionnaire
Complaint
 Client's spouse as plaintiff?
Exact corporate names from Secretary of State
Letter to client confirming accuracy of complaint and authority to file
Courtesy copy of complaint to adjuster
Protective Order?
 Psychological or other confidential information?
Scheduling Order
Propound Written Discovery
Interrogatories
 Requests for Production
 Requests to Admit
Reasonableness and necessity of medical expenses
Authenticity of potential trial exhibits
Calendar due-date for defendant's discovery responses
Letter to opposing counsel if responses not received
"Good faith" phone call
"Good faith" letter to opposing counsel week later if still not received
Motion to Compel written discovery responses from defendant
Review discovery responses received
Letter to opposing counsel re: incomplete discovery responses
 Motion to Compel (if necessary)
Respond to written discovery requests
 Send client copy of requests when received
 Send client letter w. instructions re discovery
 Follow-up with client about response in one week
 Use questionnaire to answer discovery
 Finalize discovery with client
 Obtain notarized signature to interrogatory responses
Review of Answer
Any parties or parties blamed?
Which facts or claims are admitted?
Motion to Strike portions of answer
 Improper affirmative defenses
Amend Complaint to add new parties (§ 20-1-119), allege additional facts, etc.
Retain expert consultants
 Medical
 Other scientific experts?
 Schedule Meetings
Depositions
Schedule with counsel and deponent
Court reporter (video as well)

Confirmation letter to counsel and court reporter
Prepare client for deposition
Send client unsigned copy of deposition for corrections
Will opposing counsel stipulate that bills are reasonable and necessary?
Other stipulations (negligence, authenticity of exhibits, etc.)?
If not, send itemization of medical bills pursuant to statute (90 days before trial)
Medical Depositions
Schedule with counsel and doctor
Court reporter
Confirmation letter to counsel, doctor (with depo fee), and reporter
Draft Rule 26 Expert Disclosure Statements
 Include citations to depositions, pleadings, etc.
 Meet with expert to review statement
 Finalize statement with expert
Rule 26 Expert Depositions
 Meet with experts to prepare
 Schedule with counsel and expert
 Court reporter
 Confirmation letter to counsel, expert, and reporter
Summary Judgment motion?
 Obtain affidavits
 Draft motion and memo
Day-in-the-life video needed?
 Schedule with
 Edit with
 Disclose to defendant
Focus Groups
If so, where?
Send out letters to potential jurors
Supplement written discovery responses (calendar for every three months)
Pre-trial brief