

Denver Wrongful Death Claim Checklist

Steps to take when pursuing a wrongful death claim in Colorado.

Based on Denver Wrongful Death Lawyer by McCormick and Murphy

1. Determine Standing to File

Identify who has the legal right to initiate a wrongful death claim.

- Confirm if a surviving spouse exists.
- If no spouse, confirm if children exist.
- If no spouse or children, confirm if parents exist.
- If no immediate family, identify the designated beneficiary or personal representative of the estate.
- Verify the timeline for filing based on who has standing.

2. Understand Filing Deadlines

Be aware of the time limits for filing a wrongful death claim.

- Note the one-year exclusive right for the surviving spouse to file.
- Acknowledge the deadline if no spouse files within the first year.
- Understand the deadline for children to file if there is no spouse.
- Understand the deadline for parents to file if there is no spouse or children.
- Note the deadline for the designated beneficiary or personal representative to file if no lawsuit is filed within one year.
- Consult with an attorney to confirm specific deadlines for your situation.

3. Gather Initial Information

Collect essential details about the deceased and the circumstances of their death.

- Obtain the deceased's full legal name and date of birth.
- Gather information about the date and cause of death.
- Collect details about the event or circumstances leading to the death.
- Identify any potential witnesses to the event.
- Secure copies of any initial reports (e.g., police report, accident report).

4. Identify Potential Claimants

List all individuals who may be eligible to benefit from the claim.

- List all surviving spouse(s).
- List all children.
- List all parents.
- Identify the designated beneficiary or personal representative of the estate.
- Confirm the relationship of each potential claimant to the deceased.

5. Understand Legal Representation

Consider the importance of legal counsel in navigating a wrongful death claim.

- Research attorneys specializing in wrongful death cases in Colorado.
- Schedule initial consultations with potential legal representatives.
- Discuss the attorney's experience with similar cases.
- Understand the fee structure and costs associated with legal representation.
- Ask about the attorney's strategy for your specific case.

6. Document Damages

Begin compiling information that will support the financial losses incurred due to the death.

- Gather records of the deceased's income and earning potential.
- Collect documentation of funeral and burial expenses.
- Compile evidence of medical expenses incurred before death.
- Document loss of companionship, support, and services.
- Note any other financial losses directly resulting from the death.

Resources & Further Reading

Use these pages while working through the checklist:

■ Home

<https://mccormickmurphy.com/>

■ About

<https://mccormickmurphy.com/about/>

■ Kirk McCormick

<https://mccormickmurphy.com/about/kirk-mccormick/>

■ James Murphy

<https://mccormickmurphy.com/about/james-murphy/>

■ Sample Case Result

<https://mccormickmurphy.com/about/sample-case-result/>

■ M + M in the community

<https://mccormickmurphy.com/about/m-m-in-the-community/>

■ Testimonials

<https://mccormickmurphy.com/about/testimonials/>

■ Practice Areas

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Understand your rights and the process for filing a wrongful death claim in Colorado.