

Navigating a Traumatic Brain Injury Claim

Understand the steps involved if you or a loved one has suffered a traumatic brain injury due to negligence.

Based on Traumatic Brain Injuries by McCormick and Murphy

Step 1: Understand What Constitutes a TBI

A TBI is any disruption to normal brain function caused by an external force, ranging from mild concussions to severe brain damage. It can result from blows, jolts, or rapid acceleration/deceleration.

- You do not need to lose consciousness or have a visible wound for your injury to qualify.



Step 2: Determine Legal Qualification in Colorado

In Colorado, a TBI legally qualifies if it was caused by someone else's negligence or wrongful act and resulted in medical expenses, lost income, pain, or long-term impairment.



Step 3: Identify Faulty Party

The injury must be linked to the negligence or wrongful act of another party. This means proving that someone else's carelessness directly led to your brain injury.



Step 4: Assess Damages and Impairment

Evaluate the consequences of the TBI, including medical expenses incurred, income lost due to the injury, and any ongoing pain or long-term impairment to brain function.



Step 5: Confirm Affected Brain Function

Ensure that your brain function has been demonstrably affected by the injury, even if there's no visible wound or loss of consciousness.



Step 6: Consult with Legal Counsel

If your brain function has been affected and another party is at fault, you may have a valid claim. Seek legal advice to understand your rights and options.

Resources & Further Reading

Related guides for this process:

■ Traumatic Brain Injury Checklist

<https://storage.googleapis.com/mccormick-and-murphy-checklists-20260706-65ee7b/mccormick-and-murphy/Checklist/traumatic-brain-injury-checklist.pdf>

■ Traumatic Brain Injury Action Sheet

<https://storage.googleapis.com/mccormick-and-murphy-checklists-20260706-14eb7c/mccormick-and-murphy/Action%20Sheet/traumatic-brain-injuries-action-sheet.pdf>

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If another party's negligence caused your brain injury, you may have a valid claim.