

Navigating a Wrongful Death Claim in Colorado

Understanding the legal process and who can file a claim.

Based on *Wrongful Death* by McCormick and Murphy

Step 1: Initial Consultation

Contact McCormick and Murphy to discuss your wrongful death case. Understand the legal process and your rights.

- Gather any initial documentation you have regarding the death.



Step 2: Understanding Filing Order (Year 1)

Within the first year after the death, the surviving spouse has the exclusive right to file a wrongful death claim. If there is no spouse, the deceased's children can file.

- If you are the spouse or a child, act promptly to preserve your claim.



Step 3: Filing After Year 1

If no claim is filed by the spouse or children within the first year, the deceased's parents or a designated person in the will can file.

- Consult with an attorney to determine if you qualify to file after the first year.



Step 4: Filing After Year 2

After two years from the date of death, heirs under Colorado intestacy law may pursue a wrongful death claim if no prior claim was filed.

- This is the final deadline for most wrongful death claims in Colorado.



Step 5: Legal Representation

Work with experienced attorneys to build your case, gather evidence, and navigate the complexities of wrongful death litigation.

- Ensure your legal team understands Colorado's specific wrongful death statutes.



Step 6: Seeking Justice

The legal process aims to ensure someone can seek justice and compensation on behalf of the deceased and their family.

- Focus on the legal aspects while your attorneys handle the procedural requirements.

Resources & Further Reading

Related guides for this process:

■ Colorado Wrongful Death Claim Checklist

<https://storage.googleapis.com/mccormick-and-murphy-checklists-20260706-65ee7b/mccormick-and-murphy/Checklist/colorado-wrongful-death-claim-checklist.pdf>

■ Colorado Springs Wrongful Death Action Sheet

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

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Colorado law prioritizes those closest to the deceased in wrongful death claims.