

Navigating a Bad Faith Insurance Claim

A roadmap for understanding and pursuing your claim.

Based on Examples by McCormick and Murphy

Initial Consultation: Understanding Your Situation

- Identify potential bad faith by your insurer.
- Gather all relevant policy documents and correspondence.
- Consult with a bad faith insurance attorney.



Early Case Assessment: Building Your Case

- Attorney reviews policy and claim history.
- Attorney assesses the strength of your bad faith claim.
- Discuss potential legal strategies and fee structures.



Pre-Litigation Investigation: Gathering Evidence

- Attorney requests additional documentation from the insurer.
- Collect witness statements if applicable.
- Expert reports may be commissioned.



Demand and Negotiation: Seeking Resolution

- Attorney drafts and sends a demand letter.
- Negotiate with the insurance company.
- Explore settlement options.



Litigation Commencement: Filing a Lawsuit

- If negotiations fail, file a lawsuit.
- Serve the insurance company with legal documents.



Discovery Phase: Exchanging Information

- Both sides exchange evidence and information.
- Depositions may be taken.
- Interrogatories and requests for production of documents.



Trial Preparation: Getting Ready for Court

- Finalize evidence and witness lists.
- Prepare opening and closing statements.
- Motions may be filed.



Trial and Judgment: Presenting Your Case

- Present evidence and arguments in court.
- Receive a verdict or judgment from the judge or jury.

Resources & Further Reading

Related guides for this timeline:

■ Questions to Ask Before Hiring an Insurance Lawyer

<https://storage.googleapis.com/mccormick-and-murphy-checklists-20260707-13e0d2/mccormick-and-murphy/Questions%20to%20Ask/examples-questions-to-ask.pdf>

■ Bad Faith Insurance Tactics Checklist

<https://storage.googleapis.com/mccormick-and-murphy-checklists-20260706-65ee7b/mccormick-and-murphy/Checklist/bad-faith-insurance-tactics-checklist.pdf>

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Understand your rights when dealing with insurance bad faith.