Allstate Bad Faith Checklist

Steps to identify and address potential bad faith insurance practices by Allstate in Colorado.

Based on Allstate by McCormick and Murphy

1. Understanding Bad Faith

Familiarize yourself with what constitutes bad faith by an insurance company.

- ■ Recognize that insurance policies are contracts with implied covenants of good faith and fair dealing.
- ■ Understand that bad faith occurs when an insurer unreasonably delays or denies a valid claim.
- ■ Identify if Allstate's actions go beyond mere negligence or a simple mistake.
- ■ Note if Allstate acted with knowledge that its conduct was unreasonable.
- ■ Determine if Allstate's conduct was intentional or reckless.
- ■ Consider if Allstate's actions deprived you of the benefit of your insurance contract.

2. Initial Claim Filing and Communication

Document all interactions and submissions related to your initial claim.

- ■ File your insurance claim promptly and in writing.
- ■ Keep copies of all claim forms and supporting documents submitted to Allstate.
- ■ Maintain a log of all communications with Allstate representatives (dates, times, names, summary).
- ■ Request written confirmation of all claim decisions and explanations from Allstate.
- ■ Ensure all communication with Allstate is clear and factual.

3. Allstate's Investigation Process

Evaluate how Allstate handled the investigation of your claim.

- ■ Assess if Allstate conducted a thorough and objective investigation.
- ■ Check if Allstate requested reasonable and relevant information.
- ■ Verify if Allstate considered all evidence supporting your claim.
- ■ Note any unreasonable delays in Allstate's investigation.
- ■ Determine if Allstate used biased or unqualified investigators.
- ■ Confirm if Allstate provided a clear explanation for any claim denial or reduction.

4. Claim Evaluation and Offer

Review Allstate's assessment of your claim and any settlement offers.

- ■ Examine Allstate's basis for determining the value of your claim.
- ■ Compare Allstate's valuation with independent assessments or estimates.
- ■ Evaluate if Allstate made a reasonable settlement offer.
- ■ Identify if Allstate used deceptive tactics to lower the claim value.

- Note if Allstate pressured you to accept a low settlement offer.
- Confirm if Allstate's offer was based on a fair interpretation of the policy and facts.

5. Policy Interpretation and Application

Scrutinize how Allstate interpreted and applied your insurance policy terms.

- Review your insurance policy for relevant coverage provisions and exclusions.
- Assess if Allstate's interpretation of the policy language is reasonable.
- Identify if Allstate applied exclusions unfairly or without justification.
- Check if Allstate relied on outdated or irrelevant policy versions.
- Determine if Allstate acted in accordance with Colorado insurance law regarding policy interpretation.

6. Documentation and Record Keeping

Maintain comprehensive records of all aspects of your claim.

- Keep all correspondence from Allstate organized (letters, emails, notes).
- Save all repair estimates, medical bills, and other proof of loss.
- Document all expenses incurred due to the claim delay or denial.
- Record any impact the delay or denial has had on your life or business.
- Create a timeline of events from the initial claim to the present.

7. Seeking Legal Counsel

Consider consulting with an attorney specializing in insurance bad faith.

- Research attorneys experienced in Colorado insurance bad faith claims.
- Schedule consultations with potential legal representatives.
- Bring all your claim documentation to the consultation.
- Discuss the specifics of your case and Allstate's actions.
- Understand the potential legal options and strategies available.

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

https://mccormickmurphy.com/practice-areas/

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Protect your rights by understanding and documenting Allstate's handling of your insurance claim.