Navigating an Insurance Bad Faith Claim

A roadmap to understanding and pursuing your rights against an insurance company acting in bad faith.

Based on Bad Faith by McCormick and Murphy

Initial Assessment: Understanding Your Situation

- Recognize potential bad faith actions by your insurer.
- Gather all relevant documents: policy, denial letters, communications.
- Consult with an attorney specializing in bad faith insurance claims.

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Week 1-2: Legal Consultation and Strategy

- Discuss your case details with your attorney.
- Attorney reviews policy and claim history.
- Determine the strength of your bad faith claim.
- Outline initial legal strategy.

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Weeks 3-6: Investigation and Evidence Gathering

- Attorney conducts further investigation.
- Collect additional evidence and witness statements.
- Analyze insurance company's conduct and motives.
- Prepare demand letter.

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Month 2-3: Demand and Negotiation

- Submit a formal demand to the insurance company.
- Engage in negotiations with the insurer.
- Explore potential settlement options.

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Month 3-6: Litigation Preparation

- If settlement fails, prepare for litigation.
- File a lawsuit against the insurance company.
- Begin discovery process (interrogatories, depositions).

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Ongoing Litigation: Discovery and Motions

- Continue discovery.
- File and respond to pre-trial motions.
- Prepare for trial.



Trial and Resolution: Trial and Verdict

- Present your case at trial.
- Receive a verdict from the judge or jury.
- Post-trial motions and appeals if necessary.

Resources & Further Reading

Related guides for this timeline:

- Colorado Springs Insurance Bad Faith (Infographic)

https://storage.googleapis.com/mccormick-and-murphy-checklists-20260710-3eaad2/mccormick-and-murphy/Infographic/insurance-bad-faith-infographic.pdf

- Colorado Springs Insurance Bad Faith Cheat Sheet

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Hold insurance companies accountable when they act in bad faith.