Denver Wrongful Death Claim Checklist

Steps to take when pursuing a wrongful death claim in Denver.

Based on Denver Wrongful Death Lawyer by McCormick and Murphy

1. Determine Standing to File

Identify who has the legal right to initiate a wrongful death claim.

- ■ Confirm if you are the surviving spouse of the deceased.
- ■ If no spouse, confirm if you are a child of the deceased.
- ■ If no spouse or children, confirm if you are a parent of the deceased.
- ■ If more than one year has passed, confirm if you are a designated beneficiary.
- ■ If more than one year has passed, confirm if you are the personal representative of the estate.

2. Understand Filing Deadlines

Be aware of the time limits for filing a wrongful death claim.

- ■ Note the exclusive filing right for the surviving spouse during the first year.
- ■ Understand that if no spouse files, children may file.
- ■ Recognize that if no spouse or children file, parents may file.
- ■ Acknowledge that after one year, a designated beneficiary or personal representative can file if no lawsuit was initiated.
- ■ Verify the specific statute of limitations for wrongful death claims in Colorado.

3. Gather Initial Information

Collect essential details about the deceased and the circumstances of their death.

- ■ Obtain the full legal name and date of death of the deceased.
- ■ Collect information about the deceased's marital status and surviving family members.
- ■ Identify the cause of death.
- ■ Note the date and location of the incident that led to the death.
- ■ Gather contact information for any potential witnesses.

4. Consult with Legal Counsel

Seek professional legal advice to navigate the complexities of a wrongful death claim.

- ■ Research attorneys specializing in wrongful death cases in Denver.
- ■ Schedule an initial consultation with a qualified lawyer.
- ■ Discuss the specifics of your case with the attorney.
- ■ Understand the lawyer's experience and fee structure.
- ■ Ask questions about the legal process and potential outcomes.

5. Understand Legal Representation

Learn about the role of a lawyer in a wrongful death case.

- ■ Confirm that the lawyer understands Colorado's wrongful death statutes.
- ■ Ensure the lawyer can explain who has the right to file the claim.
- ■ Verify the lawyer can represent eligible family members.
- ■ Discuss how the lawyer will manage the claim on behalf of the estate if applicable.

6. Prepare for the Legal Process

Understand the steps involved in pursuing a wrongful death lawsuit.

- ■ Cooperate with your attorney in gathering all necessary documentation.
- ■ Be prepared to provide detailed accounts of the deceased's life and impact.
- ■ Understand the importance of standing to ensure those most impacted control the case.
- ■ Follow your attorney's guidance throughout the legal proceedings.

Resources & Further Reading

Use these pages while working through the checklist:

- Home

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- About

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- Kirk McCormick

https://mccormickmurphy.com/about/kirk-mccormick/

- James Murphy

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- Sample Case Result

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- M + M in the community

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Understand your rights and the process for filing a wrongful death claim in Colorado.