

People often arrive at a personal injury consultation with two questions in mind: Do I have a case, and what is it worth? A seasoned Denver personal injury lawyer answers both by running the facts through a disciplined evaluation. It is not guesswork or a formula scribbled on a napkin. It is an evidence-driven process shaped by Colorado law, local insurance practices, and the lawyer's lived experience with juries and judges in the Denver metro area. What follows is a look inside that process so you can see the moving parts and understand the trade-offs at each step.

The first conversation: story, timing, and expectations

I begin with your story, told in your words, before a single document hits the table. Where were you going, what did you see, when did the pain start, what changed afterward. The goal is clarity, not theatrics. I am listening for a timeline, corroborating details, and anything that might later be challenged. If you mention a wrist ache that flared at the scene, that matters; if you noticed the back pain the next morning, that matters too. Insurance adjusters read records closely and love to argue that delayed complaints suggest non-injury or unrelated conditions.

Timing is critical. In Colorado, most personal injury claims must be filed within two years, but motor vehicle cases generally have a three-year statute of limitations. Claims against government entities under the Colorado Governmental Immunity Act require a written notice within 182 days, which can sink a case before it starts if missed. Dram shop claims against bars and restaurants serving to visibly intoxicated people have a one-year window. A good personal injury attorney maps your facts against these deadlines on day one.

Expectations also get calibrated early. I explain that fair value is built from liability, damages, and collectability. You can have devastating injuries and a spotless driving record, yet if the other driver carries Colorado's minimum insurance limits and has no assets, settlement dynamics look different than if there is a commercial policy with seven figures available. It is not fair, but it is real. An experienced injury attorney surfaces those realities without sugarcoating them.

What to bring to your first meeting

- Photos or videos of the scene, vehicles, hazards, and visible injuries
- Names and contact information for witnesses, along with any statements
- Insurance details for everyone involved, including your own health and auto policies
- Medical records and bills you already have, plus a list of all providers seen
- Any communications with insurers, including claim numbers and adjuster names

I can still help if you do not have these on hand, but this short list speeds the evaluation and protects evidence that tends to disappear quickly.

Liability: the spine of every case

No matter the severity of injuries, liability drives outcomes. Colorado follows a modified comparative negligence rule that reduces your recovery by your percentage of fault and bars recovery entirely at 50 percent fault or higher. That single rule shapes early strategy.

Rear-end collisions might look straightforward, yet I have defended enough of them to know that defense lawyers will probe for a sudden stop, a cut-in, or an unexpected hazard. In a premises case, the store will argue it

had reasonable inspection procedures, that the hazard was open and obvious, or that you were distracted. A trucking crash might involve hours-of-service violations, poorly maintained brakes, or a third vehicle that set the chain in motion. Each liability theory points to specific evidence: dash cam footage, data from a tractor's electronic control module, inspection logs, 911 audio, security video, and time-stamped cleaning records. A Denver personal injury lawyer who practices in the region knows how to obtain and preserve these quickly, often by sending spoliation letters within days.

I also weigh venue. A jury in Denver County can feel different from a jury in Douglas or Jefferson County. No lawyer wins every case, and we all carry a mental ledger of what played well with certain jurors and what did not. That does not change the facts, but it helps forecast risk, settlement strategy, and whether the defense will dig in.

Medical causation: connecting dots the insurer hopes to keep separate

Most clients think of medical causation as simple: "I was fine on Monday, hurt on Tuesday, take a look." Insurers try to sever that line. They comb through records looking for prior complaints, gaps in treatment, normal imaging, or everyday activities that suggest you were not as injured as claimed.

A serious evaluation tests the medicine before the insurer does. I read pre-incident records when available. If you had a mild back complaint five years ago and an otherwise clean history, I frame that upfront as a resolved issue rather than letting an adjuster spin it into a lifelong condition. When imaging is normal but clinical signs are not, I talk with treating providers about why that happens and how to document it. Soft tissue injuries often do not appear on X-rays and sometimes not on MRI either, but a provider can document muscle guarding, reduced range of motion, or positive nerve tension tests. With concussions, it is common to see a normal CT scan and real cognitive symptoms. Good notes about headaches, light sensitivity, and sleep disturbance help jurors and adjusters understand a diagnosis that lives in the symptoms more than in the scan.

Preexisting conditions are not a disqualifier, but they change the conversation. Under Colorado law, a negligent party takes the victim as found. If a crash aggravates a degenerative disc that had been asymptomatic, the aggravation is compensable. The fight is about the degree of change. I have resolved cases where the delta was obvious in the records, like a patient with an occasional aches-and-Advil routine who post-crash needed injections and missed work for the first time in years. I have also advised clients to wait and see, because it was too early to distinguish a short flare from a lasting aggravation. That patience saved credibility later.

Damages: building the economic and human story

Damages have layers: medical expenses, lost wages and earning capacity, non-economic harms like pain and loss of enjoyment, and sometimes physical impairment and disfigurement. The numbers are not just receipts and spreadsheets. They are proof of impact woven into a narrative the law recognizes.

Medical expenses are the easiest to quantify, but even those require judgment. Colorado evidence law and the collateral source rule create practical questions about what gets presented to a jury and how insurance write-offs factor into the conversation. I track both the billed amounts and the paid amounts, as well as any liens. MedPay coverage in Colorado commonly defaults to 5,000 dollars unless waived. That can pay providers directly without regard to fault and helps bridge early treatment. Health insurers, Medicare, Medicaid, and ERISA plans often assert subrogation rights, which must be negotiated. The lien picture affects how much of a settlement you actually keep, which in turn guides strategy.

Lost wages include more than a pay stub. Hourly workers might lose overtime or shift differentials. Self-employed clients often understate the hit because the numbers live in their head. I ask for invoices, tax returns, and calendars to calculate a defensible figure. When injuries affect a career trajectory rather than immediate wages, I

consider an economist or vocational expert. A union carpenter who cannot return to heavy lifting at 44 years old faces a different future than a professional who can transition to lighter duties.

Non-economic damages are real and, in many cases, the heart of the claim. Colorado has statutory caps on non-economic damages that adjust for inflation and exceptions in narrow circumstances. It is important to set expectations accordingly. Jurors tend to respond to specific, credible examples rather than adjectives. Telling them you "hurt all the time" lands softly. Describing how you sat through your daughter's play on the aisle so you could stand every ten minutes, or how you stopped taking your grandchild to the park because lifting him into the swing spasmed your back, gets traction. I coach clients to keep short notes about real-life changes, not for dramatics, but for accuracy months down the road.

Insurance coverage: where the money comes from, and where it stalls

A meticulous coverage review can double or triple the available funds, or it can reveal the hard ceiling on recovery. In auto cases, I look at the at-fault driver's bodily injury limits, your own uninsured and underinsured motorist coverage, household policies, and any applicable commercial or umbrella coverage. Colorado law around stacking and setoffs is technical and policy specific. Sometimes multiple policies can apply; sometimes anti-stacking language reduces what you can collect. I read the policies, not just the declarations page, and I request endorsements when needed.

In premises cases, coverage analysis can be trickier. A property owner might carry primary and excess commercial general liability policies, but there can be exclusions for independent contractors, assault and battery, or professional services. A tenant might be contractually responsible for maintenance, shifting primary coverage away from the landlord. These details matter. In one slip case, the store's corporate policy looked robust until we found an indemnity clause that pointed to a third-party floor maintenance company with a smaller policy but clearer liability. Adjust strategy to the reality of coverage, not the hope.

The early investigation sprint

The first 30 to 60 days after retention often decide the shape of a case. Skid marks fade, vehicles get repaired, surveillance footage loops over, and witnesses forget. I prefer to send preservation letters immediately and, where warranted, to visit the scene. You would be surprised how often a simple measurement or a sightline photograph changes everything. In trucking cases, I move fast for driver logs, maintenance records, and downloads from the truck's ECM. For a fall case, I ask for cleaning logs, inspection policies, and incident reports before they go missing.

Social media also gets an early review and coaching. A smiling photo at a barbecue can be harmless, or it can become Exhibit A for an adjuster who wants to imply you are exaggerating. Jurors are human and skeptical by nature. Authenticity wins, carelessness hurts.

How a lawyer values the claim

There is no fair market price for bodily pain, and there is no reputable "multiplier" that a professional relies on. Valuation instead comes from pattern recognition, comparative verdict and settlement data, and an honest audit of risk. I **Website link** create a range rather than a single number and mark a few waypoints along that range.

I think about the worst credible day at trial for you and for the defense. On a bad day for you, the jury decides you were 30 percent at fault, your back sprain resolved in six weeks, and they dislike a Facebook post that makes you look cavalier. On a bad day for the defense, the jury sees a careful person who did everything right, an MRI

that shows a new herniation compressing a nerve root, and credible testimony from your employer about missed promotions. That spectrum informs negotiation.

Past similar outcomes in Colorado help, but they are guideposts, not destiny. Two whiplash cases can look identical on paper and resolve very differently because of witness quality or a single document in a medical chart. I also price the cost of getting to those outcomes. Expert reports and depositions are expensive. A biomechanical expert can run 7,500 to 15,000 dollars just for an initial report. Economist and life care planners add more. If your claim can fairly resolve without jumping through every expert hoop, that efficiency matters to your net result.

The evaluation stages, step by step

- Triage the facts against deadlines, venue, and immediate preservation needs
- Map liability theories and identify the proof to support or weaken each one
- Build the medical record, fill gaps, and clarify causation with providers
- Analyze coverage and liens to estimate the realistic collection ceiling
- Price the case within a range, plan negotiation milestones, and evaluate whether and when to file suit

Clients sometimes want to skip to the fifth step; insurers want to stall at the first. A disciplined accident attorney keeps the process moving in the right order, adjusting as new information arrives.

Settlement posture and when to file suit

Not every case should be filed, and not every case should be settled pre-suit. I often send a settlement presentation after treatment reaches a stable point, known as maximum medical improvement, or when a clear need for future care is documented. The package is not a data dump. It is a narrative with citations to the cleanest records, key images, photos, and a testimony preview. Good presentations get read. Bad ones go into a stack and surface only after three follow-up emails.



Filing suit becomes the right choice when the insurer undervalues the risk, disputes liability without a credible basis, or ignores the human story in the records. In Denver, once filed, the case will move through initial disclosures, written discovery, depositions, and often mediation. Courts in the metro area maintain schedules that typically put you at trial within 12 to 18 months, though heavy dockets can stretch that. Filing is not an act of

anger. It is a strategy to access tools like subpoenas and depositions and, sometimes, to get a busy adjuster's attention.

How juries view credibility

Jurors do not require perfection. They do require honesty and consistency. I once represented a rideshare driver who had two prior claims and a skeptical adjuster waiting to pounce. He brought a logbook he kept for taxes and a simple timeline of symptoms. He admitted that his shoulder felt good for two months, then stiffened when he returned to full shifts. That candid arc squared with his PT notes. The case settled for a number the adjuster told me she had not expected to pay, driven mostly by trust.

The opposite story also happens. A client forgot to mention a minor motorcycle crash from a decade earlier. It came out in records. It was unrelated to the current knee injury, but the omission planted doubt. The defense hammered on it, the numbers stalled, and we had to try the case. We won liability, lost damages, and the client walked away with less than an earlier offer. Details do not have to be perfect, but they must be accounted for.

Government defendants and special pitfalls

If your claim involves a city bus, a public hospital, a school, or a state employee, the Colorado Governmental Immunity Act governs. The 182-day notice requirement is unforgiving, and the Act limits the types of claims and damages available. Plaintiffs sometimes arrive after trying to work it out informally with an agency, not realizing the clock kept ticking. A Denver personal injury lawyer who handles public entity cases will prepare and serve the proper notice quickly and will counsel about capped recoveries and procedural defenses you do not see in private cases.

Edge cases and hard calls

Some cases cannot be won on liability, and the hardest advice a personal injury attorney gives is to decline representation or to recommend closure. An unexplained single-vehicle crash on black ice, a fall on a hazard the property owner could not have discovered with reasonable care, or a product claim without an identifiable defect might not have a path to success. I try to spot those early and explain the why. Better to be clear at the start than to waste a year chasing an outcome that cannot happen.

There are also cases that need time to mature. A client with a suspected labral tear might present with equivocal imaging and a choice between conservative care or arthroscopy. I have advised clients to pause a demand while they complete a reasonable course of therapy or receive a definitive diagnosis. Settling too early can shortchange future care; waiting too long can create explanation gaps. The art is in striking that balance while documenting the thought process.

How you can strengthen your case

Clients are not passengers in this process. Small steps pay big dividends. Attend your appointments and follow provider advice, or, if you cannot, say why in your chart. Keep a short weekly note of what activities hurt and what you avoided, two or three lines is enough. Save receipts and track mileage to medical visits. Tell me about prior injuries and claims, even the ones you think are irrelevant. Share policy paperwork, not just the card in your wallet. These habits make your Denver personal injury lawyer far more effective.

Fees, costs, and the economics that shape decisions

Most injury attorneys work on a contingency fee. That aligns incentives, but it does not make the world free. Case costs such as records, filing fees, deposition transcripts, and expert reports are separate from fees and get reimbursed from the recovery. On a smaller case, spending 20,000 dollars to prove a point that moves the needle by 10,000 dollars is not sound judgment. On a larger case with disputed causation, a 25,000 dollar spine surgeon's report can add six figures to value. I walk clients through these budget choices with real numbers so they can decide strategy with eyes open.

A quick word on medical payments, liens, and net recovery

The settlement number is not the number you take home. I prepare a net sheet before any final decision. If MedPay advanced 5,000 dollars, your health plan paid 18,000 dollars with a contractual right to reimbursement, and your attorney's fee and costs total a known figure, we can model your net. Sometimes it makes sense to keep negotiating with lienholders while a settlement offer sits on the table. I have cut ERISA liens by 20 to 40 percent by demonstrating procurement costs and the risk profile of the case. Medicare has its own rules and timelines. Missing them can delay disbursement by weeks. Clear planning here avoids last-minute friction.

Why local experience matters

Colorado law looks similar to other states on the surface, yet small differences shift outcomes. The modified comparative negligence threshold at 50 percent, the statutory caps on non-economic damages, the Governmental Immunity Act's notice trap, MedPay defaults that affect early treatment decisions, and the temperament of local juries all inform case value. A Denver personal injury lawyer who has tried cases in the counties along the Front Range carries a mental map of how those factors interact. You are hiring that map as much as anything.

The reality of time

From first call to resolution, many claims take six months to two years, sometimes more if trial is necessary. Medical recovery should guide the pace. I have rushed exactly one settlement in my career, at a client's insistence, and we both regretted it when late-arriving imaging showed a surgical issue. The defense will use time against you if they can, letting bills and stress wear you down. Part of my job is to hold the line without posturing and to show steady progress so that when we do say "now," it carries weight.

When the offer is on the table

Accepting or rejecting a settlement is your choice. My role is to provide a clear, unvarnished analysis. I will tell you if I believe the offer falls inside the defensible range given venue, facts, damages, and collectability. I will also tell you when I think filing suit is likely to move the needle meaningfully, and when it is just as likely to kick off a year of stress for little gain. Reasonable minds can disagree, and I have tried cases because a client wanted their day in court, even when the financial delta was uncertain. What matters is that the decision is informed.

Final thoughts from the trenches

Strong cases are rarely accidents. They are built, one disciplined step at a time, by clients who communicate and follow through and by lawyers who investigate early, tell the truth about risks, and measure progress without theatrics. The work looks different case to case. A low-speed rear-end with a clean MRI but stubborn headaches needs a very different approach than a semi-truck underride with catastrophic injuries. The framework, however,

holds: liability proof, medical causation, damages with a human core, coverage and liens, and a fair price anchored in local reality.

If you sit down with a personal injury attorney in Denver, expect questions that go beyond the surface and a plan that moves fast on evidence and slow on speculation. The best accident attorney you can hire is the one who explains the why behind each step, tests your case the way the defense will, and guides you toward choices that maximize not just a headline number, but your net and your peace of mind.

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FAQ About Personal Injury Lawyer

Is it worth suing for personal injury?

Suing for a personal injury is generally worth it if you have severe injuries, mounting medical bills, and lost wages. However, it is rarely worth the time and effort for minor bumps and bruises where you recover quickly.

What not to say to a personal injury lawyer?

Never hide details, lie, or downplay your symptoms when speaking to a personal injury lawyer. Withholding information or fabricating details destroys your credibility, provides insurance companies an excuse to deny your claim, and makes it impossible for your attorney to properly advocate on your behalf.

How much do most personal injury lawyers charge?

Most personal injury lawyers charge a contingency fee, meaning you pay nothing upfront. They take a percentage of your final settlement or jury verdict—typically ranging from 33% to 40%—and only get paid if you win your case.