

# A Personal Injury Case: From Pre-Suit to Trial

Most injury claims resolve before a lawsuit is ever filed. Here is the path a case can take in Florida if it does not settle early.

## Pre-suit phase

1. **Medical treatment.** Your health comes first, and consistent treatment also documents your injuries.
2. **Investigation.** We gather the crash report, photos, witness statements, and insurance information, and identify available coverage (PIP, bodily injury, UM/UIM).
3. **Maximum medical improvement (MMI).** We generally wait until you have recovered as much as expected, so the full extent of your injuries is known.
4. **Demand.** We send the at-fault party's insurer a demand letter with your records, bills, and damages.
5. **Negotiation.** The insurer responds and we negotiate. Many cases settle at this stage.

## Litigation phase (if the case does not settle)

1. **Complaint filed and served.** We file a lawsuit and serve the defendant.
2. **Answer.** The defendant files a response, often raising defenses such as comparative fault.
3. **Discovery.** Both sides exchange information through interrogatories, requests for production, depositions, and possibly a compulsory medical examination (CME).
4. **Mediation.** Florida courts typically require mediation, and many cases settle here.
5. **Pretrial conference.** The court addresses remaining issues, witnesses, and exhibits.
6. **Trial.** If the case does not settle, a judge or jury hears the evidence and decides liability and damages.
7. **Judgment and collection.** If you prevail, the court enters judgment, and we pursue payment, usually from available insurance.

*Florida law sets deadlines (statutes of limitation) for filing suit, and they have changed in recent years. Speak with us promptly so your rights are protected; we will confirm the deadline that applies to your claim.*

*This guide provides general information from Morla Law Group, P.A. and is not legal advice. Reading it does not create an attorney-client relationship. Laws and procedures change and vary by case; for advice about your situation, contact our office.*