

From First Visit to Final Payment: Understanding the Lifecycle of a Colorado Personal Injury Case

By Adam Smestad, Esq.
Black, Blink & Associates / Personal Injury Attorney

When an injured patient walks into your office after a motor vehicle collision, your focus is naturally on diagnosis and treatment. But behind the scenes, a legal process has already begun—one that may last months or even years.

Understanding how a personal injury case progresses can help chiropractors appreciate why thorough documentation, clear communication, and timely responses to requests from counsel are so important. More importantly, understanding the process helps providers become better partners in obtaining excellent outcomes for their patients.

Below is a high-level overview of the typical lifecycle of a Colorado personal injury case.

Step 1: The Patient's First Visit

The first visit often becomes one of the most important pieces of evidence in the entire case.

Your initial examination establishes:

- The patient's mechanism of injury;
- The onset of symptoms;
- Objective examination findings;
- Initial diagnoses; and
- The relationship between the collision and the patient's complaints.

Insurance adjusters and defense attorneys almost always begin their evaluation by reviewing this first record. A thorough history and examination frequently become the foundation for proving causation later in the case.

Step 2: Ongoing Treatment and Documentation

As treatment progresses, your records tell the patient's story.

Strong records document:

- Objective findings;
- Changes in symptoms;
- Functional limitations;
- Progress toward recovery;
- Continued medical necessity; and
- Future treatment recommendations.

Consistency matters. Well-documented progress notes demonstrate both improvement and the reasons continued care remains appropriate.

Under C.R.C.P. 26, personal injury plaintiffs are generally required to disclose their treating healthcare providers and produce the relevant medical records during litigation. Those records often become the most significant evidence of the patient's injuries.

Step 3: Insurance Claim and Pre-Litigation Negotiations

Once treatment is substantially complete—or once the patient's condition has stabilized—the attorney typically prepares a settlement demand for the insurance company.

At this stage, your records are used to demonstrate:

- The nature and extent of the injuries;
- The reasonableness and necessity of treatment;
- Medical expenses;
- Future care recommendations; and
- The patient's recovery timeline.

Many cases resolve during this phase without filing a lawsuit.

The quality of the medical records often has a direct impact on how the insurance company evaluates the claim.

Step 4: Filing a Lawsuit

If the insurance company refuses to make a fair settlement offer, litigation may become necessary.

Once suit is filed, both parties begin formal discovery.

Discovery allows each side to obtain information regarding:

- Medical records;
- Billing records;
- Witness testimony;
- Expert opinions;
- Insurance information; and
- Other evidence relevant to the case.

Colorado's discovery rules are designed to prevent "trial by ambush" by requiring both sides to exchange relevant information before trial.

Step 5: Discovery Depositions

Many chiropractors are surprised to learn they may be asked to give a deposition.

A discovery deposition is not a courtroom proceeding. It is sworn testimony taken before trial under Colorado Rule of Civil Procedure 30. The purpose is to allow attorneys to learn about the care you provided and preserve your testimony.

Most depositions focus on:

- Your education and experience;
- The patient's history;
- Your examination findings;
- Diagnosis;
- Treatment recommendations;
- Whether treatment was reasonable and necessary; and
- The patient's progress.

The best preparation is almost always a careful review of your own medical records.

Step 6: Trial

Only a relatively small percentage of personal injury cases proceed to trial.

If a case does reach trial, chiropractors may be asked to testify regarding:

- The patient's injuries;
- Objective findings;
- Course of treatment;
- Functional limitations;
- Prognosis; and
- Whether treatment was reasonable and necessary.

Jurors often view treating healthcare providers as particularly credible because their opinions were formed while caring for the patient—not in anticipation of litigation.

Step 7: Settlement and Lien Resolution

After settlement or judgment, the attorney distributes settlement funds.

Before the client receives their portion, several matters typically must be addressed, including:

- Attorney's fees;
- Litigation costs;
- Health insurance reimbursement claims;
- Medicare or Medicaid liens (when applicable); and
- Healthcare provider liens.

When chiropractors have properly documented treatment and, where appropriate, perfected their liens under Colorado law, payment generally proceeds much more efficiently.

Good communication between providers and attorneys during this stage often helps avoid unnecessary delays.

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Why Understanding the Process Matters

Chiropractors play an essential role at nearly every stage of a personal injury case.

From the initial examination through final settlement, your records frequently become the primary evidence supporting your patient's claim.

Providers who understand the litigation process can:

- Create stronger documentation;
- Respond more effectively to attorney requests;
- Feel more comfortable during depositions;
- Protect their right to payment; and
- Build stronger referral relationships with personal injury attorneys.

Final Thoughts

The legal process can seem unfamiliar from the outside, but chiropractors are among the most important members of the personal injury team.

Every thorough history, every objective examination finding, every carefully documented progress note, and every thoughtful treatment recommendation contributes to telling the patient's story.

At our firm, we believe the best personal injury cases are built through collaboration between attorneys and healthcare providers. When everyone understands their role in the process, patients receive better care, cases resolve more effectively, and providers are better positioned to receive timely payment for the valuable services they provide.

For questions or referrals, visit: www.blackandblinklaw.com or call 719-328-1616.

Authorities and References

- [Colorado Rule of Civil Procedure 26](#) – governing mandatory disclosures and discovery obligations in Colorado civil litigation, including disclosure of treating healthcare providers and medical records in personal injury cases.
- [Colorado Rule of Civil Procedure 30](#) – governing oral discovery depositions.
- [Colorado Rule of Civil Procedure 32](#) – governing the use of deposition testimony at trial.
- [Colorado Rules of Evidence 702 and 803\(6\)](#) – governing expert testimony and the admissibility of business records, including medical records.
- [Colorado Health-Care Provider Lien Act, C.R.S. §§ 38-27.5-101 to 38-27.5-108.](#)
- [Colorado Chiropractic Practice Act, C.R.S. §§ 12-215-101 et seq.](#)

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