



Insurance Litigation Preparation Checklist

1. Understand Your Policy:

- Review your insurance policy in detail, including coverage limits, exclusions, and the claims process.
- Identify the type of insurance involved (e.g., auto, health, homeowners) and relevant clauses.

2. Gather Documentation:

- Collect all correspondence with the insurance company (letters, emails, and phone call notes).
- Compile records of your insurance premiums and payment history.
- Gather documentation related to your claim (claim forms, acknowledgments, etc.).

3. Compile Evidence Related to the Claim:

- Document all aspects of the loss or damage (photos of damages, repair estimates).
- Collect any third-party assessments (e.g., contractor estimates, appraisals).
- Obtain medical records (if applicable) and any documentation of out-of-pocket expenses.

4. Create a Timeline:

- Prepare a chronological timeline of events related to your claim, including when the loss occurred, when you filed the claim, and all communications with the insurer.
- Include dates of relevant communications, such as claims submissions and responses.



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5. Identify Key Issues:

- Determine the main points of contention with the insurance company (e.g., denial of the claim, underpayment, coverage disputes).
- Document specific reasons the insurer has provided for any claim denials or disputes.

6. Select Legal Representation:

- Research and consult with attorneys who specialize in insurance litigation.
- Choose an experienced attorney who understands your type of insurance claim.
- Discuss legal fees, retainer agreements, and different possible approaches to your case.

7. Prepare Your Case:

- Organize all collected evidence and documentation in a systematic way.
- Create a summary outlining your position, desired outcomes, and any key arguments.

8. Develop a Communication Plan:

- Establish clear communication with your attorney and make sure to ask questions about any uncertainties.
- Keep a record of all communications with your attorney, including notes from conversations.

9. Plan for Discovery and Evidence Gathering:

- Be prepared to provide additional information and documents as requested during the discovery process.
- Gather any relevant facts, statements, or records the attorney may need for the case.



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10. Prepare for Testimony:

- If you will be testifying, practice your testimony with your attorney to ensure you present your case clearly.
- Review how to answer questions effectively and remain composed during cross-examination.

11. Confirm Litigation Logistics:

- Verify all dates and times for hearings, trials, or meetings with your attorney.
- Ensure you have the correct location and are aware of any virtual meeting setups if applicable.

12. Understand Potential Outcomes and Follow-Up:

- Discuss with your attorney the potential outcomes of the litigation process, including risks and benefits.
- Review the options for appeals if the court's decision is not favorable to you.

Additional Tips

- Stay organized and maintain all records related to your insurance dispute in a dedicated folder.
- Keep an open mind; litigation can be unpredictable, and flexibility is crucial.
- Be honest and transparent with your attorney about all aspects of your case.