



Accidents
BURG & BROCK

CASE ROADMAP

Expected Timeline for a CA Personal Injury Case

Phase-by-phase view from intake to resolution, with realistic ranges for each stage.

By **Cameron Yadidi Brock, Esq.**

CA State Bar #287961 · [Verify on the State Bar of California](#)

last updated: May 08, 2026

Burg & Brock, P.C. · Personal Injury Attorneys · Serving California since 2007 · [burgbrock.com](#)

Information here is general and is not legal advice. Past results do not guarantee a similar outcome.

(888) 528-8595

AUTHOR

Cameron Yadidi Brock, Esq. · CA State Bar #287961 · [Verify on the State Bar of California](#)

Last updated: May 08, 2026

What "how long will this take?" really means

The honest answer is "anywhere from four months to four years." That range is real, and it is mostly about which phases your case has to pass through. Most California personal injury claims settle without filing suit. Those wrap in six to twelve months. Cases that require litigation take longer – sometimes much longer – but the steps are predictable, the milestones are knowable, and there are levers your attorney can pull at each phase.

This guide walks through the seven phases a typical CA PI case passes through, with realistic time ranges for each and the factors that lengthen or shorten them.

Phase 1 — Investigation (30–90 days)

The first thirty days are about facts: what happened, who is responsible, who is hurt, and what the case is worth.

- Police reports requested and reviewed.
- Photos of scene, vehicles, and injuries cataloged.
- Witnesses contacted, statements taken.
- Insurance information collected from all sides – primary, excess, umbrella, UM/UIM where applicable.
- Medical providers identified; client begins or continues treatment.
- Spoliation letters sent (preserve dashcam footage, surveillance tape, vehicle data – these vanish in 30–60 days at most businesses).
- Letter of representation to the at-fault carrier; their direct contact with the client stops.

Levers that shorten this phase. Calling counsel immediately. Photos taken at the scene. Witnesses with phone numbers, not just first names.

Levers that lengthen it. Police agencies that take 4–6 weeks to release reports. Out-of-state defendants. Public entities (claim presentation under [Gov. Code §911.2](#) is its own subprocess).

Phase 2 — Treatment to maximum medical improvement (varies — typically 90 days to 18 months)

The case cannot be valued accurately until the medical picture stabilizes. "Maximum medical improvement" (MMI) means the treating physician has determined the client has recovered as much as they reasonably will, or that further treatment will no longer meaningfully improve function.

For soft-tissue injuries, MMI often arrives at three to six months. For surgical cases — disc replacements, fusions, ligament repairs — MMI is rarely under nine months and can stretch past a year. For traumatic brain injuries and complex orthopedic cases, MMI may take eighteen months or more.

Why this matters for timing. Settling before MMI is settling blind. The "minor injury" turns out to need surgery; the "full recovery" stalls in physical therapy; the future-care line item that should have been \$200,000 was estimated as zero. Carriers know this — and the better ones will lowball precisely when the medical picture is unsettled.

A skilled PI firm runs investigation in parallel with treatment, so the day MMI arrives, the demand letter is ready to go.

Phase 3 — Demand letter (~30 days from MMI)

Once treatment is complete, the firm assembles the demand:

- Cover letter laying out liability, damages, and a settlement number.
- Complete medical records and bills, indexed.
- Lost wage documentation (W-2s, pay stubs, employer letters).
- Future-care projection if applicable (life-care plan).
- Photographs, witness statements, police report.
- Demand for a written response within 30 days.

The demand letter is the single most important document in a non-litigated case. It is the carrier's first look at the full picture. Done well, it triggers a real reserve adjustment on their side and opens serious negotiation. Done poorly, it gets a token counter and stretches the case for months.

Phase 4 — Negotiation (60–180 days)

Most claims settle here. The pattern is:

1. Carrier's first response, typically two to four weeks after the demand. The first offer is almost always well below the demand.
2. Plaintiff's counter, with new information or a refined argument.
3. Two to four more rounds.
4. Settlement, walk-away, or — if the carrier holds firm at an unfair number and the deadline approaches — filing suit.

A well-prepared case in negotiation moves quickly. Three to four rounds in 90 days is typical. Some carriers — generally the ones with worse claims-handling reputations — drag negotiation across six months hoping the plaintiff cracks first.

If your case settles here

Total time from accident to check in hand: typically **5 to 10 months**. The case never sees a courtroom.

Phase 5 — Filing suit and early litigation (Day 1 to ~120 days post-filing)

If negotiation does not produce a fair offer — or if the statute of limitations forces the issue — suit is filed. In LA County PI matters, the case is filed at Spring Street and assigned to a Personal Injury department.

The first 120 days after filing are largely procedural:

- Service of process on the defendant (30 days target).
- Defendant's answer (30 days from service).
- Initial case-management conference set, typically 6-8 months out.
- Initial disclosures and document requests exchanged.

Filing suit also opens a second negotiation channel. Many carriers re-evaluate their reserves once a complaint is on file because the cost calculus has changed.

Phase 6 — Discovery (6 to 12 months)

Discovery is the long phase and the most variable. It includes:

- **Written discovery.** Form interrogatories, special interrogatories, requests for production, requests for admission. Each side has 30 days to respond.
- **Depositions.** Plaintiff, defendant, treating physicians, expert witnesses, fact witnesses. Each is a half-day to full-day event.
- **Independent Medical Examination.** Defense doctor evaluates plaintiff. Often a flashpoint. Plaintiff has rights regarding scope, recording, and observer presence — make sure counsel is enforcing them.
- **Expert disclosures.** Roughly 70 days before trial (per [CCP §2034.210](#)) each side names experts and produces expert reports.
- **Discovery motions.** Motions to compel, protective orders, sanctions — these can add weeks.

Settlement conversations continue throughout discovery. Many cases settle after key depositions, when both sides have a clearer view of how the trial would play.

Phase 7 — Mediation (single day, scheduled 6 to 12 months in)

Most LA PI cases mediate before trial. Mediation is a single day, typically with a retired judge or experienced neutral, where both sides try to settle in a structured back-and-forth.

A meaningful mediation requires the case to be far enough into discovery for both sides to have a defensible view of value. Mediating too early wastes the day; mediating too late means trial preparation costs are already largely sunk.

Outcomes:

- Settled at mediation (the most common result).
- Continued discussions in the days following — many "almost settled" cases close within two weeks.
- Trial path resumes if no agreement is possible.

Phase 8 — Trial (if necessary, 14 to 30 months after filing)

Civil trials in LA County are reached at the discretion of the assigned department. Trial dates slip — that is the rule, not the exception. Five-day jury trials in PI matters typically slot in 14 to 30 months after filing, though the post-pandemic backlog has stretched some venues further.

A trial-ready case includes:

- Trial brief, motions in limine, jury instructions, verdict form.
- Trial exhibits compiled and pre-marked.
- Witness order set; experts on call.
- Jury consultant input where the stakes warrant it.

A typical PI jury trial runs 5 to 10 court days. Verdict, then post-trial motions and judgment.

What affects the total timeline most

Factor	Impact
How long treatment takes	Largest single factor — sets when negotiation can begin
Whether liability is contested	Disputed liability adds months and forces filing
Insurance limits	Low limits often resolve faster (limits-tender)
Multiple defendants	Each adds discovery and complicates negotiation
Government defendant	+6 months for claim presentation
Court calendar (post-pandemic)	LA Superior Court is currently 18-30 months from filing to trial
Lien resolution	Medi-Cal, ERISA, and hospital liens add 30-90 days at the back end
How prepared the plaintiff's firm is	Largest controllable factor

A realistic bracketed view

Path	Total time, accident to check
Settles after demand letter (uncomplicated, low limits)	5–9 months
Settles after one or two rounds of negotiation	8–14 months
Settles after suit filed but before trial (typical)	16–24 months
Settles at mediation	18–28 months
Tries to verdict	24–40 months, sometimes longer

Past results do not guarantee future outcomes. Every case is different.

What you can do to keep the timeline tight

- Complete recommended treatment without gaps.
- Respond to your attorney's requests within a week.
- Keep records: bills, mileage to appointments, days off work, symptom journal.
- Stay off social media about the case.
- Show up. Depositions, IME, trial — being prepared and on time keeps the schedule.

If you are early in this process and want a clear picture of where your case sits on the timeline, call Burg & Brock at **(888) 528-8595**. Free consultation, contingent fee, seven offices statewide.

Talk to a Burg & Brock attorney — free, confidential, no obligation.

Seven offices across California. We answer the phone twenty-four hours a day, seven days a week, and our fee is contingent — you owe nothing unless we recover for you.

Call (888) 528-8595

Los Angeles (HQ)

3580 Wilshire Blvd, Suite 1260
Los Angeles, CA 90010

Riverside

3403 10th Street, Suite 700
Riverside, CA 92501

Fresno

2350 W. Shaw Avenue, Suite 132
Fresno, CA 93711

Encino

15760 Ventura Blvd, Suite 700
Encino, CA 91436

San Bernardino

473 East Carnegie Drive, Suite 200
San Bernardino, CA 92408

Long Beach

100 Oceangate, Suite 1200
Long Beach, CA 90802

Bakersfield

4900 California Ave, Tower B, 2nd Fl
Bakersfield, CA 93309

This guide is attorney advertising and provides general information only. It is not legal advice and does not create an attorney-client relationship. California statutes and case law cited are accurate as of the "Last updated" date on the cover; for advice on your specific situation, contact Burg & Brock for a free consultation. Past results do not guarantee future outcomes; every case turns on its own facts.