

Clinical Negligence

Your Journey

Clinical Negligence claims can take a considerable amount of time to investigate and complete, even if the issues seem relatively straightforward.

No two cases are the same but we have set out below a basic timeline of a straightforward case to give you a guide and for you to refer back to during the course of the case. Of course we will fully advise you at each and every step of the case.

GET PREPARED

- 1 Gather all evidence relating to the events including:
 - Complaints correspondence
 - Serious Untoward Incident reports
 - Any Inquest documentation
 - Death Certificate / Post Mortem
 - Any medical records that you have
- 2 Keep a note of all financial losses.
- 3 Keep an ongoing diary of events, your recovery, appointments and care provided throughout the course of the case.

CONTACT COODES CLINICAL NEGLIGENCE DEPARTMENT AS SOON AS POSSIBLE

0800 328 3282

clinical@coodes.co.uk

INITIAL APPOINTMENT

If we can assist we will arrange an initial appointment with you, if needed, at one of our offices.

CAN WE HELP?

We will decide if we can take your case on within **10 days** of you contacting us (unless we require further documentation or information).

FUNDING

We usually offer “no win no fee” but this will be discussed with you in detail. Legal Aid is sometimes available. A funding pack sent out within **1 week** of our meeting.

WITNESS STATEMENTS – ONGOING

Your provisional statement will be drafted following our meeting and updated as the case progresses. We will also consider obtaining independent witness evidence.

PROVISIONAL SCHEDULE OF LOSS – ONGOING

We will begin to prepare a schedule of loss based on the financial evidence that you provide to us and update this throughout the course of your case.

MEDICAL RECORDS

- It takes 40 days for us to receive the copy records often longer.
- We then need to print the records, sort and review them and report back to you – **1-3 months** depending on the volume.

COLLATE MEDICAL RECORDS

The medical records need to be paginated and collated and a detailed chronology prepared – **2-4 months** depending on volume.

INSTRUCT MEDICAL EXPERT

It can take anywhere from **12 weeks to 12 months** (sometimes longer) for us to receive the initial report.

LETTER OF CLAIM

If the expert's report supports your claim, you will be sent a draft letter of claim for approval. This will set out full details of your case and the allegations. We aim to send this to you within **2-4 months** of receiving the expert's report and once approved it will be sent to your opponent.

LETTER OF RESPONSE

Technically the Defendant has **4 months** from receipt of the Letter of Claim but more often than not they ask for extensions of time.

LIABILITY ADMITTED

Consider any further experts required to value the claim.
Allow **4-6 months** per expert.
Update and finalise Schedule **3-6 months**.

LIABILITY DENIED

Send Letter of Response to expert for further comments **3 months**.
If unsupportive, discontinue claim.

If they remain supportive – either: **Instruct Counsel AND / OR Issue Court Proceedings.**

COUNSEL?

If required - Instruct Counsel (Counsel / Barrister - a lawyer regulated by the Bar Standards Board, often specialising in court room representation, drafting pleadings and expert legal opinions).

If not required - Settlement negotiations - **3 months**.

If unsuccessful - Issue Court Proceedings

Once Proceedings Issued the case falls into the Court's Timetable and we will advise in full at that stage.

First steps?

If you'd like to make a claim after experiencing clinical negligence, contact us free today

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