

## WHAT TO EXPECT FROM YOUR LAWSUIT THE LAWSUIT IS UNDERWAY

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Most people that come into our office are familiar with the term *litigation*. On the other hand, very few people understand what *litigation* actually entails. There are all sorts of strange procedural rules and unusual language that can make the journey mysterious, especially when the individual has been injured. Through these series of reports we will try to take you through the specific areas of the litigation process.

In California, the lawsuit begins with what is called a *complaint*. The *complaint* is filed in the appropriate judicial branch. The *complaint* sets forth all the facts and legal authority necessary to put the defendant on notice of the accusations against him. In other words, the *complaint* is designed to give the defendant specific information about why, where and for how much he or she is being sued.

Generally, the *complaint* starts the lawsuit, but other times what is called a Notice of Claim initiates the proceedings. When suing the state, a municipality or other government entity, the plaintiff must file a notice of claim during a specified amount of time. This time is usually VERY short. Many states do provide for the late filing of Notice of Claim but only with court approval and for good reason. Don't take chances; seek legal assistance right away.

When the *complaint* has been filed, the defendant will have a certain amount of time to respond. That response is called an *answer*. The *answer* is the document served by the defendant on the plaintiff in which the defendant has to respond to the allegations made in the *complaint*. Once the *answer* has been filed the case is said to be *at-issue* and can then proceed.

The Law Office of Harold D. Thompson handles all types of personal injury and real estate lawsuits every day and we fully understand the process of successfully handling your case. We are also aware of the pitfalls that arise in the course of litigation as well as the steps necessary to deal with them effectively.

If you believe you have been injured by the lack of care of another give our office a call at 619.615.0767 or visit our website at [www.ThompsonLawSD.com](http://www.ThompsonLawSD.com) for more information.