Attorney Chadwick McGrady Explains Colorado's Comparative Negligence Law

Personal injury attorney warns insurers exploit Colorado's fault-sharing law to cut or deny claims victims assume are "open and shut."

Law Office of Chadwick McGrady, P.C.

GRAND JUNCTION, CO, UNITED STATES, August 6, 2026 /EINPresswire.com/ -- Personal injury attorney Chadwick McGrady is urging accident victims across Colorado to understand a legal principle that can quietly shrink or wipe out an injury claim before the victim ever realizes it's happening: comparative negligence.

Colorado follows a comparative fault system, meaning that if an injured person is found to share any percentage of blame for an accident, their financial recovery is reduced by that same percentage. If a claimant is found to be 50% or more at fault, Colorado law bars them from recovering anything at all.

"People call me all the time about cases that seem cut and dry to them, a slam dunk," McGrady said. "But they don't realize that the insurance corporation's entire goal is to minimize what they pay out. One of the most effective ways they do that is by shifting a percentage of fault onto the injured person."

How Insurance Companies Use Comparative Fault

McGrady explained that under Colorado's system, the financial incentive for insurance companies is straightforward: the more fault they can assign to the injured party, the less they have to pay.

"If the insurance company can convince a jury, or even the claimant himself that the injured person was partly at fault, the recovery gets reduced by that percentage," McGrady said. "And if they can push it to 50% or more, the injured person recovers nothing. That's not a technicality. That's the entire strategy."
This is why, McGrady said, the statements accident victims give to insurance companies in the days and weeks following a crash matter far more than most people realize.

"When a claimant gives a statement to an insurance company, the company isn't just gathering facts," McGrady said. "Their goal is to find something that lets them point fault back at the injured person. A single offhand comment can be used against someone months later."

Controlling the Narrative Early

Because of how much is riding on those early statements and evidence, McGrady said he puts significant time into investigating each case and helping clients control their own narrative from the outset, rather than leaving that process to the insurance company.

"I spend extensive time investigating a case and making sure my client's story is documented accurately and completely before the insurance company has a chance to twist it," McGrady said. "That early groundwork often makes the difference between a fair settlement and a reduced or denied one."

A Free Consultation, No Upfront Cost

McGrady emphasized that anyone who has been injured in an accident. Even those who believe their case is straightforward should speak with an attorney before engaging directly with an insurance company.

"I believe every injured person should at least call and talk to me about their claim before they talk to the insurance company," McGrady said. "There's no cost to that consultation. And if I take on the case, I handle the conversations with the insurance company from that point forward, so my client isn't navigating that alone."

McGrady's firm operates on a contingency basis, meaning clients pay no attorney fees unless McGrady successfully recovers compensation on their behalf.
"I don't get paid unless I win," McGrady said. "That's the arrangement, plain and simple."

About Chadwick McGrady

Chadwick McGrady is a Colorado personal injury attorney focused on representing accident victims against insurance companies. His practice emphasizes early case investigation and client advocacy to counter comparative fault strategies commonly used to reduce or deny injury claims. Consultations are free, and clients pay no fees unless a recovery is obtained.

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