

**Observations on the Relationship between  
an Insurance Adjuster and a  
Claimant's Lawyer**

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by

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1. Without plaintiffs' lawyers 90% of you are out-of-work.
2. Act like you and the plaintiff's lawyer are on the same side. You both want the claim resolved. Act like the real opponents are the lawyer's bozo client and your bozo supervisor.
3. Blame anything and everything which doesn't go the plaintiff's lawyer's way on the claims committee, even if there isn't one.
4. Anything you can't blame on a claims committee, blame on your new supervisor, even if there isn't one.
5. Complain to the plaintiff's lawyer as often and as much as you can about your working conditions.
6. At least once in each case make a reference to your desire to get out of the insurance business, because it's getting tougher and tougher to get approval to offer what you know a case is worth. Mention of suspected infiltration of the insurance industry by pernicious special interest cells is good, too.
7. Plaintiff's lawyers aren't good detail people. Insistence on seamless documentation of a claim will usually provoke the lawyer into filing suit rather than putting up with more of your nit-picking crap.
8. Some plaintiff's lawyers are lazy, and this causes them to have difficulty distinguishing their sweat equity in a case from the value of the case itself. It also makes these plaintiff's lawyers want to settle at the earliest feasible time and with the least possible amount of effort. They would rather take less money than work harder.
9. The plaintiff's lawyer who yells "bad faith" with the slightest or no provocation is the lawyer least likely to recognize it or know what to do about it when it really occurs.
10. In these two situations you should almost always be able to settle a case at the low end of the range of reasonableness:
  - ◆ Small-time lawyer with a big-time case.
  - ◆ Big-time lawyer with a small-time case.

11. A lawyer who is regularly confusing intends to be, unless he or she is just plain stupid.
12. A lawyer, who gives “my regular practice” as a reason for doing or not doing anything, creates this dogma where none is needed, in order to have a quick (albeit useless) response when you ask, “Why are you making such a simple thing so hard?”
13. When you see square-peg-round-hole situations, try to come up with a reasonable solution. Most plaintiff’s lawyers will go along with your idea rather than spend the time and energy needed to come up with an original one.
14. Try to treat the claimant’s lawyer as you would a customer who you would like to have remember dealing with you as a pleasant experience. If the lawyer demonstrates he’s a jerk, then relegate her or him such status and spend your valuable chit chat time where it has a better chance of getting you somewhere.
15. If you want to persuade the plaintiff’s lawyer on a point, provide him or her with the kind of stuff you would expect from someone trying to persuade you on the point. Give the other guy the benefit of perhaps having half-a-brain and being able to see what you see.
16. Be careful of little Trojan ponies hanging around in your file.
17. If a lawyer acts in a way which appears to be against self interest, one of two things is probably afoot.
  - ◆ The lawyer actually doesn’t know or doesn’t care what he or she is doing,
  - or*
  - ◆ The lawyer knows exactly what’s going on and is waiting to see if you figure it out before it’s too late.
18. A reputation for being easy to settle with is useful to you. Don’t be afraid of acquiring one.

19. Claim dispute resolution is most likely to be accomplished sooner and less expensively if neither the adjuster nor the plaintiff's lawyer view the process in win-lose terms. The goal ought be a resolution of the claim which is reasonable under the circumstances.
20. Stroking the ego of a plaintiff's lawyer never hurts and often will succeed where reason fails.