

~ OUTSIDE PRESSURES ~
ON THE TYPICAL "HENRY HARD-NOSE" INSURANCE ADJUSTER

By: Dan Baldyga

Insurance adjusters may be "Hard Nosed" but they are not without outside pressures they must deal with every day of their work life. It would be advantageous for all the readers of AUTOMOTIVE COLLISION REPAIR SERVICES NETWORK to be aware of the most important of these because they could put money in your bank.

The first of these is your State Department Of Insurance. Every state has a Department, or Commissioner, or Bureau of Insurance that oversees the antics of all Insurance Claims Adjusters and their superiors in that particular state. Each has a Consumer Complaint Division. If the adjuster you've been dealing with is the typical "Henry Hard-Nose" who has refused to make any offer at all, has engaged in what you consider to be unethical conduct, or has made what you believe to be a ridiculously low offer, you have cause for a complaint.

The mere mention of a complaint to the State Department of Insurance may bring that Hard-Nose around to making a better offer. Adjusters would rather not have to deal with a complaint and they positively don't want copies of them ending up in their personnel file !

Your complaint to the State Insurance Department will accomplish several things. First, his boss will now become aware that there's a claimant (you) who intends to do whatever it takes to obtain some positive settlement dollars. That will often inspire that person to take a closer look at your case and come up with a better offer. Also, if indeed you write to the Consumer Complaints Division, it will evolve into what's always a costly effort because a complaint with the State Insurance Department will add an additional layer of work, supervised by an extra contingent of personnel. When it's realized this will likely come to pass they'll try harder to get rid of you and settle your claim.

The vast majority of insurance adjusters dream of one day being promoted to a higher position within the company they work for. Hard-Nose is acutely aware of the fact if his personnel file has correspondence flowing into it from claimants he's handled (plus copies of the letters which have been sent to the insurance commissioner) and those will, somewhere down the line, be read by one of his company's executives. In many instances this will be a man who doesn't want "Problem" claims employees spluttering, splashing and crashing about his office area causing headaches, backaches, butt aches and extra work within the framework of that particular executive's command. Hard-Nose is fully aware that such complaints will keep him, out on the road forever, and will surely prevent him from moving up the corporate ladder.

OTHER CRUCIAL ISSUES THAT THE ADJUSTER IS AWARE OF

When it comes to the reality of the way things work in the actual, daily, experience of personal injury claim negotiations and settlement, is often vastly different from the stipulations found in the "Formal law". That is, legal theory, as it's written and

allegedly supposed to work. What this means, simply stated, is: "Adjusters can settle a case, whether their decision to do so is based on "The Law", or not. In the real world of Personal Injury settlements a "compromise" (one which often has nothing to do with "The Law") is the order of the day. It is commonly accepted among those in the business (because that's what makes their work life so much easier) that in any given case there's almost always a likelihood of negligence on both sides, rather than just one. What this boils down to in practical terms, is this: regardless of the law practically no claim is without merit or totally lacking in value - especially if the "value" is simply to "get rid of it". QUESTION: "How does Dan Baldyga know this to be true?" ANSWER: "Because he was an Insurance Adjuster, Supervisor, Manager and then Trial Assistant for over 30 years. He's been there, and observed that."

Although it's never expressed to him "officially" every adjuster quickly learns, should your case go to trial, compromise will usually be the order of the day, even in cases of questionable liability. This fact alone gives Hard Nose plenty of room to make a compromise settlement before your case ends up in his Defense Attorney's hands where a compromise will (somewhere along the line) usually take place anyway! Why will this come to pass? Because the costs of preparing for (and then proceeding into) a courtroom battle will skyrocket.

Being aware of this is always bubbling and boiling in the gray matter between every adjuster's ears. If there's any question whatsoever (regarding who was at fault in the accident you were involved in) don't ever give up. Keep pounding away! When faced with a determined claimant who's willing to wait and haggle and won't go away, the chances are that even bone-headed adjusters like Henry Hard-Nose, will eventually make an offer.

This comes to pass because the adjuster (especially if your claim has some value) doesn't want it to end up as a complaint at the State Department Of Insurance. Plus he knows you'll be made, a settlement offer, somewhere down the line, anyway! So, better he settle it now, before the cost of defending it gets blown out of proportion, later.

In order to continue to look good (especially to those who watch their progress and the way they handle the outside pressures that haunt every one of them) insurance adjusters - - who want to climb their corporate ladder to success - - must be cagey individuals who work very hard to please those they work for. For you to understand this will most assuredly be to your financial advantage.

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Dan Baldyga's third and latest book, "AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM" (How To Evaluate And Settle Your Loss) can be found on

**the internet at <http://www.autoaccidentclaims.com>. or
<http://www.caraccidentclaims.com>. This book reveals "How To" successfully
handle your motor vehicle accident claim, so you won't be taken advantage of. It
also goes into detail regarding the revolutionary BASE (The Baldyga Auto Accident
Settlement Evaluation Formula). BASE explains how to determine the value of the
"Pain and Suffering" you endured - - because of your personal injury.**