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**Outside Pressures On The Typical Insurance Adjuster**

**By Dan Baldyga**

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Insurance adjusters are not without outside pressures they must deal with every day of their work life. It would be advantageous for all readers 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 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 the adjuster 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 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. They're acutely aware of the fact if their personnel file has correspondence flowing into it from claimants they've 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 companies

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executives. In many instances this will be a man who doesn't want a "Problem" claims employee spluttering, splashing and crashing about his office area causing headaches and extra work within the framework of that particular executive's command. The adjuster 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 little and often nothing to do with "The Law") is the order of the day. It's 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: Irregardless 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 him plenty of room to make a compromise settlement before your case ends up in his Defense Attorney's hands where such a move will usually take place anyways! 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 refuses to go away, the chances are the adjuster 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 pressure's that haunt every one of them) insurance adjusters – who want to climb their corporate ladder to success – must be very cagey individuals who must work 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

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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.

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**AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM**

(How To Evaluate And Settle Your Loss)  
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For 30 years Dan Baldyga was a claims adjuster, supervisor, manager and trial assistant. He is now retired and spends his time attempting to assist those involved in motor vehicle accident claims so the will not be taken advantage of. Mail to:

## **Insurance Adjusters How They Work And How They Think**

### **By Dan Baldyga**

Here comes the insurance adjuster. Is he overly friendly? If so, watch out! It's OK to be hospitable. Be good-tempered and cordial -- but beware! Never forget he's paid to save his company as much money as he can. That's the name of his game.

**DON'T SIGN ANYTHING:** Don't overestimate the good will of the adjuster. They're trained to investigate accident cases in such a way, if at all possible, to make their insured look good. Many

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unsuspecting individuals fall prey to the adjuster who seeks to protect his company's pocketbook at the expense of a legitimate claimant.

If a company calls you and suggests they take your statement over the telephone, tell them you would prefer to meet with an adjuster. Don't agree to dictate a verbal statement into a tape recorder over the phone, and certainly not when you're in the presence of an adjuster. Don't sign a statement when you meet with him. Whatever the circumstance may be, advise whomever you're dealing with that you'll be more than willing to provide a signed statement, after your claim has been settled.

**HOW TO PROCEED WITH THE ADJUSTER:** Be pleasant, but firm. No matter how much in the wrong the person is that hit you, no matter how they acted at the scene of the accident, and no matter what they may have verbalized to or at you, don't take it out on the adjuster. It's not the adjuster's fault if his insured is an idiot.

You must never underestimate the importance of the adjuster's impressions and conclusions, all of which go into your file. What he feels and reports about you have a great influence on the final disposition of your claim. If he likes you that's money in the bank. On the other hand, if he gets upset with you he has the ability to twist the facts to make you look bad. Once that's been done, it will be set in cement, go into your file and, without you're ever being aware of it and haunt you to the last dollar of your settlement.

**THE ADJUSTERS CLAIM LOAD:** The job performance of insurance adjusters is judged not only on how little of the company's money they spend in settlements, but also on how quickly they settle the claims assigned to them. They're constantly under pressure to settle your claim; to get rid of it and move on. The adjuster will never tell you, but the weight of their caseload comes down on your side of the scale. It's an advantage people are never aware of.

**THE ADJUSTERS SETTLEMENT AUTHORITY:** The Adjuster's authority to settle claims on their own is restricted on how much experience they have. For a less experienced adjuster, perhaps \$5,000 to \$10,000, but for a more experienced adjuster, their settlement authority may go as high as \$20,000. When bigger bucks are involved they usually have to be given permission to settle the case from their immediate supervisor.

**THE BOTTOM LINE:** Don't let a sweet talking insurance adjuster manipulate you into feeling good about your relationship with him and the eventual outcome of your claim. In the vast majority of

instances that's not the way you should play the game because if provided with the opportunity, they'll almost always take advantage of you. That's a fact of life. Know and understand that they're only doing their job. Their assignment is to save money for the company who signs their paychecks – – no matter what it takes.

If you have a legitimate claim stay cool and understand what you're up against. Don't be impossible to deal with, but remain steady. Remember that the adjuster wants to look good to his company. He doesn't want your claim to end up in court, plus he wants to reduce his caseload. Be patient. At the end of the day, after the dust has settled, he'll be forced to do the right thing.

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Dan Baldyga's latest book **AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM (How To Evaluate And Settle Your Loss)** can be found on the internet at his web site

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Dan Baldyga

For 30 years Dan Baldyga was a claims adjuster, supervisor, manager and also a trial assistant. He is now retired and spends his time attempting to assist those involved in motor vehicle accident claims so they will not be taken advantage of.

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