

THE DO'S AND DON'TS OF TALKING WITH AN INSURANCE ADJUSTER

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If you have been in a car accident in most cases you will be interviewed by an adjuster from your own insurance company and by an adjuster from the other car's insurance company. You might think the adjuster is trying to help you (especially the adjuster from your insurance company). Both adjusters are trying to minimize the amount of money that their company will have to pay. The following points are some of the things you need to be aware of when giving a statement to the insurance company.

DO'S

- Prepare – speak with your attorney. Take the time to fully understand the process and take advantage of your attorney's years of experience.
- Write down the name, address and phone number of the insurance adjuster and insurance company.
- Provide your full name, address and telephone number.
- Tape the conversation. If you can't tape it take good notes of the conversation.
- Ask the adjuster if they are aware of any witnesses.
- Be as detailed as possible in describing your injuries. Tell the adjuster everything that you have experienced. When asked "if that is all" tell the adjuster that it is all that you can think of right now, but you are sure that there are other things you may have told your doctors.
- Tell the truth. It is imperative that you are truthful at all times. Lying or exaggerating can be harmful to your case.
- Pause before answering the question. This will give you time to think about the question and the answer you are about to give. You are not being timed.
- It is okay to answer "I don't know" or "I don't understand".
- Treat the adjuster with respect.
- Answer questions with "yes" or "no" that call for it.

DON'TS

- Do not agree to an audio tape recording by the insurance adjuster of the conversation, unless your attorney is present.
- Insurance adjusters will engage you in an informal conversation in an effort to relax you and get as many details about the accident as possible. Be aware of this.
- You do not need to provide details about your work, such as income, schedule or details of what you do at your job unless you have a lost wage claim.
- Do not agree to anything.
- DO NOT SIGN ANYTHING.
- Don't answer family questions. You are under no obligation to give any information about your family.
- You are not obligated at this point to identify witnesses.
- You are not obligated to give the adjuster the name of your doctor.
- Do not talk in absolutes, i.e. do not give exact distances, times, etc. Always use qualifying words such as approximately.
- When you report the accident give general information. You should speak with your attorney prior to giving a formal recorded statement.
- Do not argue with or get angry at the adjuster. If you do then you have made it more difficult to obtain a fair settlement of your case.
- Do not guess the meaning of any question. If you do not understand a question ask that the question be repeated or clarified. I don't know is usually an adequate answer.
- Do not volunteer information. Make sure you fully answer the adjusters' question and then quit speaking. Although it is important to always tell the truth, it is also important not to give more information in your answer than the question asked for.
- Do not interrupt the question, even if you know the answer.

- Do not answer compound questions with a yes or no answer.
- Do not allow the adjuster to assume facts that are not true when asking his question. Always correct or clarify any untrue facts.
- Do not use phrases like “In all honesty” or “I would never lie”.
- Do not use words like “always” or “never”.
- Do not give long narrative answers.
- Do not use words like “uh-huh” or “mm-hmm”. These can be misinterpreted and change the meaning of your answer.

This statement will have an impact on your auto accident case. It can influence the adjuster of the at fault party to settle your case or it can help in getting your insurance company to pay your medical bills. The statement can also be used at trial if you say something different or inconsistent at a later date, in a deposition or at trial. It can be used as impeachment. This means the in considered by the jury. This can be very damaging to your case. This is why it is important to meet with your attorney before giving a statement. This statement can benefit your case if you are prepared.

Before the conversation it would be a good idea to read the following reports which are available for FREE on our website:

- **TOUGH QUESTIONS: Questions The Insurance Adjusters Don't Want You to Ask.**
- **ARGUMENTS INSURANCE COMPANIES MAY USE AGAINST YOU: Excuses Used By Insurance Companies To Avoid Fair And Reasonable Settlements.**