

# THE VOSS ★ LAW FIRM

## MAKING THE BEST CHOICE WHEN HIRING AN ATTORNEY

*(Questions to ask and things you should know)*

### **Background and Perspective**

If your home or business property is damaged or destroyed and you file an insurance claim, be prepared to spend time and energy on the claim process. Listing and describing everything you lost and how much it will cost to repair/replace each item takes more effort than most people realize. That's called "documenting a claim." But it must be done or you won't get paid the insurance dollars you're entitled to. And, once that's done, you must negotiate with your insurance company or you are likely to get paid less than you are owed.

***If The Voss Law Firm, P.C. represents you in your claim, we will document and negotiate your insurance claim. We work only for policyholders, not insurers. We are on your side, we work for you, we serve you and we know you expect results.***

Your insurance company may assign one or many different adjusters to your claim over the course of time. Each one may have a different approach and level of experience. One may have very little experience and be difficult to communicate with, another may be very friendly and have a lot of experience. Many people report to United Policyholders that their first adjuster offered them a settlement sum, then left the company or was reassigned and when a new adjuster came on, that new adjuster rescinded the offer or made them start from scratch on the claim. We refer to that problem as "rotating adjusters."

When you file a claim, you may be fine on your own, or you may do better by hiring help – it's an individual decision you should make based on your own circumstances. An attorney will be your representative and advocate in the process of getting your claim processed and settled, (paid). As with any professional, some attorneys are better than others. The last thing you need when you've suffered a major loss is extra problems, so screen carefully before you hire. Resist high-pressure sales pitches and don't hire prematurely. The claim process involves leg work, paper work, basic math, insurance lingo, and negotiation.

### **Claim adjusting is art, not science**

Most people who file a claim rely completely on their insurance company to calculate the amount of damage and what they're owed. That's not the way to go if you want to be paid all you're owed. The way to get paid all you're owed is to hire an experienced insurance litigator like Bill Voss and The Voss Law Firm who will do your calculations and research, provide complete documentation to your insurer, make a written demand for payment and keep following up until you get paid. Particularly when it comes to a large loss – you will need help from professionals to do the negotiations.

The insurance company sends out their own staff adjuster or "independent" adjuster, and their handpicked contractor, whose job it is to identify the scope of work and to estimate the costs to repair or rebuild your home. They measure the loss for the insurance company, not for you. This matters because big dollars are at stake and your financial goals and the insurers' financial goals are not the same.

It is hard for you, the insured, to know whether you are getting all that is owed under your insurance policy. Your policy may actually give you extended coverage beyond the stated dollar limits on the policy. A qualified advocate on your side can be your voice in the process and give you more input and negotiating leverage as to what you recover. Documenting a catastrophic property loss is time-consuming and burdensome to even the most sophisticated insured. Instead of relying on the insurance company to decide

how much you get to rebuild your home, hiring a good attorney can help you receive the best possible settlement.

## **Things You Should Know Before Hiring an Attorney**

1. Be sure you are hiring a **licensed** attorney and that they are in good standing with their State Bar Association. Do not be afraid to ask to see their individual license.
2. Are you interviewing the individual(s) who will actually be handling your file? Or is the person simply a “sales rep”, who will hand off your file to an attorney you do not even know? **BE SURE TO ASK IF YOUR FILE WILL BE REFERRED OUT AND IF THE ANSWER IS “YES” YOU NEED TO THINK ABOUT LOOKING ELSEWHERE.**
3. Is the law firm signing up too large a volume of business to give you the best level of care and attention? Your claim **will** be delayed if your attorney is handling too many claims.
4. Ask what skills, credentials and experience does the attorney bring to the table? How many years have they been licensed, and how long have they been practicing in your state?
5. Ask the attorney you are interviewing to give you a list of references for claims he or she has personally handled in the past 3 years. (Some attorneys move around among firms and have short-lived associations with the firm they currently represent.)
6. If the law firm is located out of the area, how do they plan to service your claim? Make sure you are clear on what you can expect from them over the long haul.
7. Is the attorney handling the claim the right personality fit for you? You must be confident and comfortable with their communications skills and level of personal commitment.

8. Before hiring an attorney, **call and check** at least three of their references. Ask if the person you're interviewing actually worked on their claim. Did the client feel confident their attorney got the best possible result? Did their representative answer all their questions throughout the litigation process? Was the attorney able to identify how much added value they brought to the final settlement figures? Did the attorney assist with the additional living expense and fair rental value portion of their claim?

9. Don't be rushed into making a decision before you are ready to. You have time to make the right decision for you! Ask all the questions you need to ask so that you feel confident in your selection of attorney. They will be part of your insurance recovery process for as long as it takes to settle the claim and recover all the financial benefits you are entitled to under the terms and conditions of your policy and the laws in your state.

**The Voss Law Firm, P.C.**

***World Class Attorneys with Texas Heart***

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