



## Negotiation Tips

Be aware: insurance companies have attorneys on staff to create their strategies and advise them. Occasionally, we have seen a company send a representative to a negotiation who is educated and trained as an attorney but who hasn't passed the Bar Exam. This allows them to cover themselves while getting around the legal requirement to tell you when an attorney is present so that you have the option of bringing your own attorney. You may meet with these representatives without realizing they are acting in a quasi-legal capacity.

**Preparation:** Know ALL your numbers and issues.

**Patience:** Time works in your favor.

**Listen:** Their words are important but they may not mean what they say.

**Understand:** You are in control. Your reasonable replacement number is your goal!

**Simplify** (KISS method – Keep it simple and short.) Convey your message in as few words as possible.

**Persistence:** Don't give up. Concede a point when you are satisfied it is fair.

### Useful tips:

- Do not hurry – it leads to confusion and mistakes.
- There can be more than one meeting – it is your choice.
- Unless you are fully prepared, the initial meeting should be short. If you are not prepared, a long initial meeting works in their favor because the insurance company will have a better chance to “size you up” and learn the weaknesses of your case.
- If you find that you are not prepared, get out quickly and keep your strengths for another day.
- You always have the power to walk out. “I need to go now and come back later” can be a sign of strength.
- Take any release home to think about it.
- It is not the end; unless you sign a release, there can always be another meeting.
- Clarify all terms and numbers. “I got lost here. Please explain,” is an OK response.
- Separate “old” money from “new” money. “Old” money is money already paid or can be the remaining unpaid policy limits. “New” money is additional money beyond what had previously been considered for payment.
- Know your weaknesses.
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- Be flexible and fair – but do not surrender.
- Keep as much “on the table” as possible. Once you concede something to the insurance company, it's practically impossible to put that item back on the table to renegotiate.
- Negotiate with the adjuster, not with yourself. Save any compromises for the bargaining table.

*More detail can be found in Chapter 8 of our book “A Survivor’s Guide to Insurance” available for free download on our website, [www.carehelp.org](http://www.carehelp.org)*