

CLM 2014 ANNUAL CONFERENCE

April 9-11, 2014

**Boca Raton Resort
501 E. Camino Real
Boca Raton, Florida 33432**

10:25 a.m. – 11:25 a.m.

Presentation: KEEP YOUR FILE HANDLER HAPPY: ENJOY A LONG AND PROSPEROUS RELATIONSHIP WITH YOUR CLIENT

This presentation is focused on recommendations made in a survey of many file handlers who had a combined work experience of over 800 years. The goal is to successfully educate all members to issues that will strengthen their business relationships, keep clients and generate renewed business.

This presentation will bring attention to certain issues that members have been doing for years without realizing that may be aggravating the individuals they work with on a daily basis, even though they are doing a good job in defending the client. The attendees will be left with ideas that will help in strengthening their working relationships and the professionalism between fellows and members within the claims industry.

Presenters:

Gytis Gavelis, VP, Catlin Specialty Insurance

Jeff Schneider, Sr. Manager, Liability Manager, Advanced Advantage

Steve Elliott, Partner, Bernard, Cassisa, Elliott & Davis

Target Audience: Experienced and Intermediate Attorneys, Adjusters, Claims and Risk Managers

Course Length: 60 minutes

- I. Request by file handlers. (20 minutes)
 - a. Pros and Cons interacting with file handler and getting good results that file handler/client appreciates.
 - b. Items every attorney should know in handling client files and maintaining business.
 - c. Tips to help keep healthy relationship with file handler and client.

II. Discussion based on survey of file handlers, most with over 20 years of experience.
(30 minutes)

- a. Timely reporting, including initial budget and analysis, depositions and reports, mediations and mediation reports, trial dates, pre-trial reports etc.
- b. Requesting authority timely to avoid a “rush”.
- c. Evaluating issues and developing facts. Don’t let a case linger.
- d. Using forms client provides, and if client does not provide forms, making reports brief and helpful.
 - 1. Try to avoid lengthy reports, at least initially.
 - 2. Generally, file handlers indicated that experienced lawyers, other than dealing with complex litigation, can complete reports in 3 or 4 pages.
- e. Giving unrealistic budgets, either extremely high or extremely low.
- f. Don’t duplicate and inundate file handler with emails and regular mail. Some file handlers noted that they get too many emails and prefer copies of letters sent to other attorneys to be included with the next scheduled report.
- g. Try to avoid pronouns when dealing with multiple parties and identify parties by name.
- h. In all reports try to give recommendations and always remember to put the claim number.
- i. If client doesn’t require a report by a certain date, try to advise file handler as to when you will next report.
- j. On formal reports only update sections that have changed. If nothing has changed, just state “refer to prior report.”
- k. Make yourself available by phone.
- l. Avoid telling file handler to defend a case, only to tell file handler within days or weeks before trial to settle the case at all costs because the insured is going to lose.
 - 1. Don’t hesitate to tell client that their insured or employee was at fault in causing accident.

- m. Return calls and email within 24 hours.
 - 1. Most file handlers prefer that you call by phone if something of importance happens because they don't want you to assume that they are going to get to email timely.
- n. Make sure you know what client wants regarding pleadings and/or discovery.
 - 1. Check with each file handler on that issue.
- o. Don't delegate defense of a "smaller file" to an associate attorney unless you advise and supervise the file.
- p. Know your file before communicating with the client.
- q. Keep file handlers informed throughout mediation they are not present.
- r. If client requires periodic billing, do so within guidelines. (Don't wait to bill entire amount when file is closed.)
- s. Try to keep expert fees under control.

III. Conclusion. (10 minutes)