

FAST ***FACTS***

#98-02

Structured Settlement Issues for Plaintiffs

PROTECT YOURSELF — TAKE CONTROL

Under the American Bar Association Model Rules of Professional Responsibility for attorneys, it is a conflict of interest when one person who has loyalty to one party is asked to be loyal also to another party whose interests are adverse to the first party's interests. A defense-structured settlement broker who has loyalty to the self-insured defendant, or its insurer, cannot also be loyal to the plaintiff. It is a conflict of interest for that broker to provide financial advice and to handle the financial transactions on which the plaintiff may depend for many years, perhaps a lifetime. The conflict of interest is compounded by the fact that the defendant and his insurer, through the language in the settlement agreement, may obtain a complete release from the plaintiff, not only for themselves, but for all their agents, etc. — **including the defense-structured settlement broker** — for everything, and forever!

A plaintiff-structured settlement specialist, on the other hand, with a loyalty to the plaintiff, remains obligated to that plaintiff after the settlement, and potentially for their life!

Protect yourself and your client — have a plaintiff-structured settlement specialist in your corner!

If you would like assistance in developing strategies for taking control of the structured settlement process, contact us. We can help. Phone us at (800) 666-5584 or (503) 699-8929, or visit our website at www.settlepro.com



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