

MLG BRIEFS

OCTOBER 2021



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THE PSYCHOLOGY OF THE AVERAGE INSURANCE ADJUSTER

For most personal injury victims, one of the most unnerving parts of resolving their claim is working with an insurance adjuster. While some adjusters are friendly enough, their process is often shrouded in mystery. They rarely show their hand when it comes to figuring out what the insurance company should pay you, and when they present a settlement offer, they often make it seem non-negotiable. The whole process can be both intimidating and disheartening, especially when the offer is considerably less than you expected. Let's demystify this part of the settlement process by pulling back the curtain on the psychology and motivations of insurance adjusters, so you have a better idea of who you're dealing with.

The Insurance Adjuster Works for the Insurance Company, Not You

An adjuster often acts as though they are working in your best interests, but remember, the insurance company is signing their paychecks. The first priority of an adjuster is not getting you a fair settlement, but rather keeping the insurance company's costs as low as possible. Insurance companies are in business to make money, so they don't

want to pay out any more than they have to—even if you're rightfully entitled to it.

At the same time, the insurance adjuster is walking a fine line in calculating your settlement—because the one thing the insurance company does NOT want is to be sued. If the case goes to court, your settlement will probably be higher, and the insurance company stands to lose a lot more money than if they settle with you quickly and directly. So the insurance adjuster's job is basically to calculate the settlement with the insurance company's interests at heart, offer you the lowest amount they believe you'll accept, and convince you that's the full amount you're entitled to receive—all hopefully without triggering a lawsuit.

Why The Adjuster's Settlement Offer Is Usually Low

When calculating a settlement offer, the insurance adjuster is looking at the same data your attorney is, including the actual and estimated costs of your care, lost wages, etc. Damages for pain and suffering, mental anguish, etc. are less tangible and more subjective, and so this is where the

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adjuster is more likely to “low-ball” the offer. The adjuster will also evaluate the strength of your claim, especially with regard to “comparative fault.” If there is evidence that you were at least partly at fault for the accident, the adjuster may offer a lower settlement because you may have a more difficult time proving your claim in court.

Why You Need an Attorney

Once you accept an insurance company’s settlement offer, the case is considered closed--and if the settlement is less than the amount needed to make you whole, you won’t have another chance to ask for more. The insurance adjuster is not your friend. You should not take their word as final when an offer is made. Always consult with an experienced personal injury attorney before accepting an insurance settlement--especially with the first offer. A good attorney knows where the adjuster is cutting corners in determining your settlement and can almost always get the insurance company to pay more--whether through negotiating or taking it to court.

At the **McCraw Law Group**, our attorneys have plenty of experience dealing with insurance companies. We know how insurance adjusters think, and we know how to overcome their objections to get you the compensation you need and deserve. Contact us today for a free consultation.

Where ARE THE Words?

We’ve buried a bunch of
October-themed words into
this jumbled box of letters.
Think you can find ‘em all?
Good luck!

S G D P M W N X J G Q Q R L D J Z W T
E L N K U D W S C O R N L V R R N N M
H M E B K M M O Q F O L I A G E N M L
C Q E V D Z P L R U V S R C M J I Q X
T Y W B D K L K L C I J P D O G X T P
I M O N D P X L I X Y R D I R B P T J
W R L Z L N A M N N J V R A D R W L W
N W L K N B B P Z M R L T E E E L E J
M Q A Z T J X W M E Q E W W L V R Z B
U T H O P M J J D R L H O D Y T J T K
T G O N N P V I W Z E L T L G H W T Q
U F N D Y K C V M E F J W L A O Y D B
A J M I P E V N L N Y P Y R R J L J G
C D N G L J J B U L X W V C G A Z Y D
O T Q P P T A S E R X E E Y O B K T G
R Y P R R R S A Y D S R J B U K Y E K
N A N B R Y V U M T A Y D M R R L Q Q
S V T O Z E T Z R C Y T G K D J W Q D
G Z W T S Q R D S K K X R L L B G W R



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Leaves
Harvest
Halloween
Witches

Rake
Pumpkin
Migrate
Gourd
Football

Apple Cider
Corn
Spider
Scarecrow
Foliage

Autumn
Sunflower
Squirrel
Wheelbarrow
Crow

Acorns
Rustling
Cobweb

To serve you even better

We have had a number of people call and ask us about the change in our newsletter. We have moved from a monthly newsletter to a quarterly one. The hope is that we will be able to provide better content and dive a little more deeply into the issues surrounding your health and wellness, problems and opportunities dealing with personal injury claims, firm news and issues of interest of the day.

In one of this month's articles, we discuss the perils of dealing with an insurance adjuster without representation. I have had many clients and potential clients call me over the years with horror stories while dealing with adjusters. Most insist that adjusters have to be truthful (they don't), that they must disclose what they know about the claim (they don't), that they have to disclose the policy limits (they don't in third party claims, but must do so in first party claims in Texas), or my favorite, that they have to be "fair" whatever that means (a third party adjuster owes you no duty, a first party adjuster owes a duty of good faith and fair dealing, which is often more of an illusion of fairness than actual fairness). In short, there is a whole body of misinformed "facts" about insurance and dealing with insurance adjusters. Because of the dangers of dealing directly with adjusters without a lawyer's advice and protection, it is common for lawyers who have been injured or whose loved ones have been injured to hire a lawyer just to put some distance between themselves and the adjuster and to get well grounded advice about their own situation.

Before putting yourself in a situation that can harm or even destroy a righteous claim, please call. At the **McCraw Law Group**, initial consultations are always free and without any obligation. I just want to make sure that you go in with your eyes opened to what can occur so that your valuable rights are not destroyed.

In this edition, we are also highlighting our associate who leads our litigation department, **Charlie Ginn** and his recently completed service to the State Bar of Texas. It is really important for the protection of our clients that the state bar be independent and not be subservient to the monied powers that be in the political realm. For example, a few years ago the Supreme Court, acting on the recommendation of law professors and other seeking to empower creditors, recommended a change the ethical rules to require a lawyer holding money in trust for a client to honor any debt that the client might have. The change would have forced lawyers to pay any claim of debt made against their client regardless of the client's wishes. The lawyers of this state, because we have an independent bar, voted down the change. If you think that the insurance industry has too much power now, I could only imagine these same folks making claims for any unpaid bills for other policies and seeking out third party creditors and buying their debts, such as medical debts, student loan debt or any other debt at a deep discount when they knew a client was about to get a settlement, so the lawyer would have to pay them the full value of the debt and not the lawyer's own client? The inside information would be a license to further harm those their insureds have harmed. Charlie took time away from his own caseload and his young family and served on the board of directors, the executive committee, and finally chairman of the board all in an effort to watch and make sure that powerful people don't harm the powerless. As his term expires, we at the firm are proud of his service to the people of Texas and we are glad to have him back full time.



This republican democracy that we share depends upon this profession to do the right thing when it is often easier or more profitable not to. We protect those who without us really would have no voice and no chance. Join me in congratulating Charlie on a job well done in the service to all of us.

Last of all, I hope that you enjoy the cooler temperatures of fall. The football games, the little goblins looking for candy, and the smell of hot coffee in a cold deer blind. Be safe out there and enjoy all the good things that life has to offer!



~ Lin McCraw



COMMUNITYEVENTS



Sons of the American Legion 15th Annual BBQ Cookoff

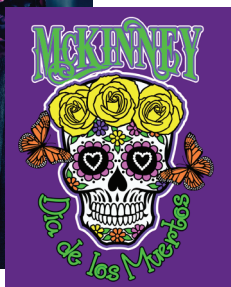
Our team respects and admires our service members. We are proud to have sponsored the Sons of the American

Legion 15th annual BBQ competition in Van Alstyne, TX on September 25th. This event

raised money for the American Legion, a veteran organization that helps transition active and retired service members into their communities.

The McCraw Law Group BBQ team also competed against 20 teams, including one that has been featured on the Food Network.

While we did not win, what matters most is that we raised money by selling plates of BBQ and donating 100% of the proceeds. It was a great feeling that many veterans told us throughout the event "Thank you so much for coming here, we're really glad y'all did this," and invited us to come back next year.



Día De Los Muertos

Because the communities where we live and work are important to us, we will also be sponsoring the Día De Los Muertos event in McKinney, TX on October 16. Día de los Muertos is a Latin American custom celebrating the lives of the deceased with food, drink, parties, and activities the dead enjoyed in life. Stop by our booth 12pm-9pm to say hello and see our ofrenda.



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7-LAYER SPIDER WEB DIP

7-Layer Dips are a party favorite, so here's a little twist on the popular appetizer that makes it perfect for Halloween! Prep/total time: 15 minutes • Serves: 8 people

Ingredients:

- 1 can (15 ounces) refried beans
- 1 packet taco seasoning
- 1 cup sour cream, separated
- 1 cup mild or medium chunky salsa (make sure it's not watery)
- 1 cup freshly grated sharp cheddar or colby jack cheese
- 1/2 cup cherry tomatoes, halved
- 3-4 green onions, diced
- 1/2 can black olives, drained
- 1 cup prepared guacamole
- tortilla chips
- 10-12 inch round plate, pie tin or tart dish

Instructions:

- 1 - In a small bowl mix the taco seasoning with the refried beans. Spread this mixture evenly on the bottom of the dish. Spread 3/4 cup of the sour cream on top and then gently spread.
- 2 - Add dollops of salsa and gently smooth on top. Add dollops of the guacamole and spread slowly.
- 3 - Slice half of the olives. Around the edge add the grated cheese, thinly sliced green onions, sliced olives and halved cherry tomatoes. With the remaining 1/4 cup of sour cream, put it into a plastic bag and cut off the tip. Squeeze the sour cream into a spider web pattern over the guacamole.
- 4 - Make olive spiders - half a few olives lengthwise & then cut a few olives into small strips. Place halved olives in the mix and the strips around the halved olives to look like spiders.
- 5 - Enjoy the dip immediately or within 10-15 minutes after preparing. Serve with tortilla chips.

Recipe & photo courtesy of: Chelsea's Messy Apron - www.chelseasmessyapron.com



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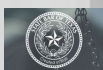
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JOHN L. "LIN"
McCRAW III,
P.C.

McCraw Reviews



McCraw Law Group has outstanding employees, from Mr. McCraw himself, to the receptionist at the front office there to greet you. They know what you want, and they'll get it for you. Great team!

~ Daniela Mejorado



I brought my small case to the McCraw Law Group after dealing directly with the opposing side by myself for almost a year. Never having been in any situation like this before, I hadn't realized how foolish it was to believe the insurance company would actually be honest or fair. Even though I had made some mistakes on my own that made it a bit more difficult for the firm, and even though my case was pretty small, everyone at the firm was friendly, gracious and professional. Their top-notch support staff sent me updates regularly and everyone always returned my calls in a timely manner. They treated me as if I had some multi-million-dollar case and was their top priority. Charlie Ginn was able to negotiate a very reasonable settlement and much to my surprise, he was able to get the amount owed to Medicare significantly reduced, which increased my portion of the settlement! I HIGHLY recommend this law firm and only wish I'd gone to them sooner.

~ Ruthann Buchanan

WILL YOU



...refer us to your family
and friends?

We help people who have
experienced a personal injury,
auto accident, 18-wheeler
accident, wrongful death
and more.



Call us 24/7 at
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or visit us at:

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