

Why You Need A Plaintiff Broker On Your Side

The use of structured settlements in resolving personal injury claims is growing each year. And each year the defense industry comes up with new ways of saving money on unsuspecting plaintiffs and their attorneys. Read the top ten reasons the defense wants to control the process. Many plaintiff attorneys feel it is professional malpractice to entertain structured settlements without the use of a plaintiff-loyal structured settlement specialist or "plaintiff broker."

A plaintiff broker is your expert, held accountable and legally liable to you. The defense will use their own specialist called a "defense broker." The defense broker is their expert and is not held accountable or legally liable to you [see *Lyons v. Medical Malpractice Insurance*, 730 N.Y.S.2d 345 (2001)].

Nearly all settlement agreements release everyone on the defense side, including the defense broker. So who will you turn to if the defense broker made an error or omission. With a plaintiff broker participating in the placement of the actual annuity, you have the plaintiff broker's Errors and Omissions policy available. But unless the plaintiff broker actually participates in the placement (i.e. earns a commissions from the annuity provider), you may find yourself alone."

