

PROCESSING CLAIMS AND
ANTICIPATING FUTURE COLLECTION
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I:

When a call is made to the fund about a loss, it is imperative that the person taking the call conduct a preliminary interview of the Claimant not only to obtain information about the loss itself, but also to obtain some information about the Respondent and his/her lifestyle and spending habits. The initial interview is the best place to ask pointed questions about these topics because if the Claimant knows anything, it is most likely that he/she will share the information with you at this time because there will be a sense of action and cooperation with a government body.

Types of questions you can ask when conducting the intake:

The obvious:

1. Full Name address (if P.O. Box, get a street address), and all telephone numbers of the Claimant as well as any other person that will be part of the claim.
2. Full name of the Respondent attorney.
3. The exact amount of the claimed loss and any remarks about how that sum was calculated
4. Ask if the Claimant complained to the disciplinary board, and whether the Claimant's allegation was one of the matters of the Respondent's discipline.
5. Ask if the Claimant has complained to the prosecutor and whether the Claimant's allegation are being investigated.

The probing and not so obvious:

If your time allows, ask the following questions at the initial interview with an eye toward future litigation and potential collateral sources.

How long have you known the Respondent?

Have you ever met with the Respondent socially, or ever been to his or her home?

Do you know what type of vehicle the Respondent drives?"

Was the Respondent married" Did you ever meet his/her Spouse" Are they still together"?

Did the Respondent have any children"? Do you know their ages?

Do You know where the Respondent vacationed?

Did you ever observe any other lawyer(s) in the office when you were there?

II:

Once the claim is filed:

Your investigation should include gathering information that involve possible collateral issues and their liability.

1.) Forgery:

2.) Partnership or employer liability:

3.) Title insurance cases:

Cases involving misappropriation in a real estate matter:

4.) Bonding insurance.

5.) Age considerations. How old is person affected by theft?

5a.) Mental status of person affected by theft

III:

Working with outside sources when investigating a claim:

Prosecutors. Defense counsel. Probation/Parole.