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When an insurance company makes an offer to your attorney in Massachusetts to settle your personal injury claim, you should make sure that you know the following:

1. The amount of the offer;

2. The amount of the deductions from the offer;

3. The net amount you will receive; and

4. Whether the insurance company made a fair and just offer.

Many personal injury attorneys prepare an itemized breakdown when they receive an offer from an insurance company (we call it a â€œproposed settlement statementâ€•).The breakdown should include the offer, the attorneyâ€™s fee (usually on third of the offer, a list of the expenses incurred by the attorney (such as costs for medical records, any investigator or expert witness fees, filing fees), a list of any outstanding medical bills, a list of any liens, a total of the deductions and the net amount you will receive.

Liens may arise if all or a portion of your medical bills were paid by a health insurer, or a governmental entity such as Medicare or Medicaid.Sometimes the lienholders are willing to compromise the amount of their liens.

After your attorney receives the offer, prepares the breakdown and sends it to you, your attorney will discuss the offer with you. Usually, there will be negotiations between your attorney and the insurance adjuster until the adjuster informs your attorney that the insurance company has made its final offer. Your attorney or Personal Injury Lawyer will advise you if it is a fair and just offer. You decide whether to accept it.

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