

# Creative Methods to Access Insurance: The Use of Stipulated Judgments, Coverage and Bad Faith Assignments and Sweetheart Deals

American College of Coverage Counsel  
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Mass tort and sexual abuse claimants may be sitting on top an insurance goldmine



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But a big recovery requires  
an insurance plan



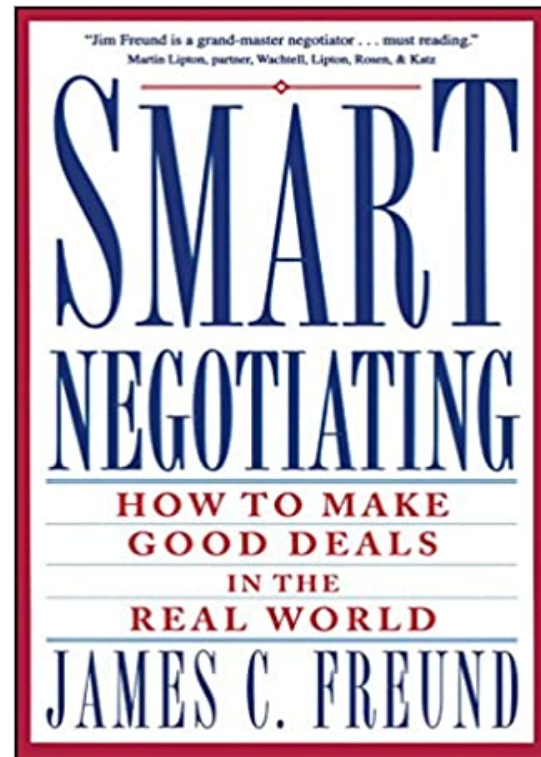
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Insurers pay when the cost of not paying immediately exceeds the benefit of delay



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The roadmap to recovery  
requires an understanding  
of the pressure points



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Too often, tort claimants put minimal pressure on insurers

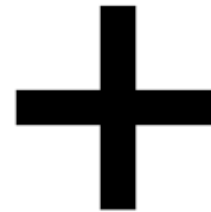


# How do we change the dynamic?



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# Settle with the defendant now for a payment along with a stipulated judgment and an insurance assignment



ASSIGNMENT OF PROCEEDS OF INSURANCE

TO: \_\_\_\_\_  
(INSURANCE COMPANY)

I, \_\_\_\_\_ (DECEASED), being entitled to receive benefits under Policy Number \_\_\_\_\_ issued by \_\_\_\_\_ (INSURANCE COMPANY) on the life of \_\_\_\_\_ (POLICYPAYEE), now deceased, and having contracted with and being indebted to \_\_\_\_\_ (FUNERAL HOME) of \_\_\_\_\_ (CITY/STATE) for funeral services and merchandise for the deceased in the amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), do hereby set over, assign and transfer unto said Funeral Director the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) out of the proceeds of said Insurance Policy; and I hereby authorize and direct said Insurance Company to make its check payable to said Funeral Director for the assigned amount and to pay the remainder of the proceeds of said Insurance Policy, if any, to me. A statement of charges for funeral expenses for the deceased is attached hereto.

\_\_\_\_\_  
(DECEASED)  
Address \_\_\_\_\_  
Date Signed \_\_\_\_\_

Sworn and subscribed before me  
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

INSURANCE COMPANY



Make sure the settlement has  
all the necessary ingredients to  
preserve insurance



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Once the rights are assigned,  
and the stipulated judgments  
are entered, sue for recovery



No defendant/middleman; no need to litigate the underlying case – the tort plaintiffs can proceed directly against the insurers



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Now, the goldmine can be tapped



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