

5 Things Personal Injury Attorneys Don't Want to Hear from Prior Clients

By Julian E. Gray, CELA*
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After all you've gone through with your client from the date of the injury through discovery, depositions and even trial; you want to know that your client got the best results you could provide. In addition, you want to be able to sleep at night knowing that all loose ends have been tied up and your case is really settled. But what if your client contacts you months or even years later and has these types of questions for you?

1. I just found out that I could have done other planning to maintain my Medicaid and SSI coverage for life without having to pay back the State. **Why did you tell me to do a payback Special Needs Trust?** Didn't you know the other options?
2. **Why didn't you tell me that I only had one shot at choosing a Medigap insurance plan supplement when I enrolled in Medicare after applying for Social Security Disability?** I'm 45 now and I can't get that coverage back until I turn 65 years old because of my pre-existing condition!
3. I hate my Trustee. They never return my calls, don't explain anything and told me that I can't replace them. **Why didn't you tell me I could have had a Trust Protector in my trust document and remove these people without years of litigation at my expense?**
4. My Father went into a nursing home last month and I just found out from the nursing home and the State that every single payment of his structured settlement that you helped him with 10 years ago must now go to the nursing home for the rest of his life. Why would you let this happen? **I found out the lump sum option could have been protected from the nursing home.**
5. **Why didn't you tell me about planning that could be done between the first distribution of my medical malpractice settlement and the second distribution from the Mcare fund?** There was a lot of time between those distributions and I just found out we could have been making some moves, but I never heard from you or the people you referred me to at the mediation.

These kinds of questions deserve specific answers as each client's case is unique. It is better to have them answered in advance so you and your client can avoid surprises in the future.

The attorneys at Julian Gray Associates have assisted numerous personal injury attorneys, their clients and families throughout Western Pennsylvania to maximize their clients' results. For a no obligation, confidential discussion of a pending matter, please contact Julian at 412-458-6000 or visit SaveYourSettlement.com

**Certified as an Elder Law Attorney by the National Elder Law Foundation under authorization of the Pennsylvania Supreme Court.*