

# STRUCTURED SETTLEMENTS CHECKLIST

**1. WHAT AMOUNT OF THE TOTAL SETTLEMENT IS TO BE STRUCTURED?**

- Any or all of the settlement
- An amount of no more/no less than \$ \_\_\_\_\_ **OR** \_\_\_\_\_ % of the settlement

**2. IS THERE ANY RESTRICTION ON THE STRUCTURED SETTLEMENT COMPANY TO BE USED?**

- No, the claimant may choose
- Yes, any or all of the settlement must be structured with \_\_\_\_\_
- Yes, any or all of the settlement is to be split between \_\_\_\_\_

**3. IS THERE ANY RESTRICTION WITH RESPECT TO THE LIFE INSURANCE COMPANIES TO BE USED?**

- No, the structured settlement may be placed with any of the life insurance companies presently offering structured settlements
- Yes, the structured settlement may be placed only with \_\_\_\_\_

N.B. a restriction in the life insurance companies to be used may either increase the cost of the structured settlement or decrease the structured settlement income producible.

**4. WILL THE STRUCTURED SETTLEMENT BE OWNED BY THE CASUALTY INSURER OR IS THE OWNERSHIP TO BE ASSIGNED?**

- Yes, the structured settlement will be owned by \_\_\_\_\_
- The ownership of the structured settlement will be assigned by \_\_\_\_\_, with:
  - Any or all fees borne by \_\_\_\_\_
  - A maximum of \$ \_\_\_\_\_ in fees borne by \_\_\_\_\_

N.B. an assignment of ownership may restrict the life insurance companies available and thereby either increase in the cost of the structured settlement or decrease the structured settlement income producible.

**5. IS THERE ANY TIME RESTRICTION WITH RESPECT TO THE CONVEYANCE OF FUNDS FOR THE STRUCTURED SETTLEMENT?**

- No
- Yes, funds for the structured settlement will be conveyed within \_\_\_\_\_ business days

N.B. in the event of a decrease in structure interest rates, a delay in the conveyance of funds may either increase the cost of the structured settlement or decrease the structured settlement income producible.

**6. WHO HAS THE RIGHT TO NAME THE SECONDARY PAYEE/BENEFICIARY (OR THE RIGHT TO A REVERSIONARY INTEREST)?**

- The claimant (at his/her own cost)
- The casualty insurer (at its own cost)
- Other (e.g., some form of split) \_\_\_\_\_

**7. DOES THE CASUALTY INSURER RESERVE THE RIGHT TO APPROVE (OR DISAPPROVE) OF THE STRUCTURED SETTLEMENT PLAN ULTIMATELY SELECTED BY THE CLAIMANT?**

- No
- Yes

**8. ARE ANY CLAIM PAYMENTS TO BE MADE PENDING THE COMMENCEMENT OF THE STRUCTURED SETTLEMENT PAYMENTS (E.G., IN THE CASE OF AN ONGOING FIRST PARTY CLAIM)?**

- No, \_\_\_\_\_ agrees to pay the amounts agreed upon only to the date of settlement
- Yes, \_\_\_\_\_ agrees to pay benefits as incurred up to \_\_\_\_\_

