

[Bringing logic and fairness back to California injury victims](#)

Bach Talk: Let's not forget that it used to be true in California that if you were injured by someone, you could make a claim directly with that someone's insurance company. If their insurance company behaved badly, you could hold them accountable in court. You could negotiate directly with their insurer and you had legal leverage to get their insurer to make a fair settlement offer. All that changed in 1989 after political tinkering with the CA Supreme Court then a ballot measure sponsored by insurance companies. California residents lost the right to hold insurance companies fully responsible for paying third party claims.

Now - if you're hit by a driver who's clearly responsible for the accident - you're not likely to be treated very well by their insurer. Why? You have no legal leverage against their insurer. You're considered a "third party" and the at fault person's insurance company can tell you to go pound sand. Your choices are: find a lawyer who will represent you in suing the at-fault person, or do a slow burn and give up.

While recently helping a consumer, I unearthed this article and was inspired to share it: <http://digitalcommons.lmu.edu/cgi/viewcontent.cgi?article=1609&context=llr>