

# **Effective Presentation at PIP Arbitration**



# Articulating Claims

## I. Summary

a) Highlight all issues to be addressed pursuant to Forthright R. 16 (does not have to be on recommended form so long as each point is presented).



## II. Prehearing Brief

Address every issue raised in writing by your adversary (even if by way of a supplemental submission)



### III. Documents

a) Know where your documents are located within your submission

- Bookmarks
- Exhibit pages

b) Avoid duplication of documents to the extent



possible.

- Avoid document dumps at all costs.
- Present only documents that are relevant to the issues raised and that you will rely upon

## IV. Post Hearing

- Most frequently hearings are left open to address issues raised in late submissions. To minimize chance of keeping hearings open
  - a) amend claims, if necessary, prior to hearing date



b) address issues as they are identified via supplemental pre-hearing submissions

## V. Prehearing consolidation requests

- Specify precisely why you believe consolidation is appropriate (for me, saying only that cases involve same date of accident, same patient and same issues “both cases stem from the same matter” is not enough).



## VI. On the papers

- Note time frames for initial and final submissions pursuant to Rule
- Address requests for fees and costs if there is an objection to the fee certification