

Scott Seaman and Jason Schulze Discuss Colorado Supreme Court Ruling Regarding Adjuster Liability

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Hinshaw partners Jason Schulze and Scott Seaman, Co-Chair of Hinshaw's Global Insurance Services Practice Group, discussed with *Law360* a recent Colorado Supreme Court ruling that rejected a policyholder's attempt to find an individual claims adjuster personally liable for violating the state's bad faith laws. This ruling adds to a growing debate over such claims.

Seaman noted that policyholders pursuing claims against individual adjusters is nothing new. He stated that while "efforts categorically failed from the 1970s until the early 1990s," supreme court rulings from multiple states in favor of policyholders have fueled a resurgence in these claims. "Policyholders are looking and seeing if there's any opportunity in the language of the statute to hold an adjuster personally liable," he said.

Schulze affirmed the ruling and questioned whether such claims against individual adjusters were genuine or a litigation tactic, asking, "When you're presenting a case for bad faith, would you rather have a recovery against a global insurance company X, or an individual with a mortgage and bills? Would you rather present your case against a faceless company that you're going to claim engages in bad faith or an individual?"

[Read the full *Law360* article](#) (subscription required)

"Colo. Ruling Accelerates Debate On Adjuster Liability" was published by *Law360* on March 22, 2022.

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