

INSIGHTS

Notes From the Other Side: Sharing Fries With Jamie Carsey, Sr. Director of Claims-Legal at Markel

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In this episode of Bracewell Covered, [Vince Morgan](#), podcast host and chair of Bracewell's insurance recovery practice, talks with Jamie Carsey about her experience in the insurance industry, including her approach to claim processes.

Jamie is a senior director, claims at Markel Service Incorporated.

Do you approach claim processes in any one particular way?

I imagine that all insurance companies do this a little bit differently. At Markel, our claims professionals have a high level of expertise in the claims that they are handling. We may use independent adjusters, or we may use counsel and some instances to assist with that, but they really are the ones that are running the claim. We try to keep on the coverage side. We really try to keep as much of that in-house as we can before going to outside counsel. But also we want to be aware that if we need some additional information or we need additional expertise to take a look at an issue, we want to be sure that we do that and do our due diligence.

What are the easiest kinds of claims to resolve? What issues are more or less intractable?

When I don't see a real clear emerging pattern in the claim types or even the value of claims. I think we've all been in situations where we think, "Oh, this looks pretty straightforward. This should go pretty quickly," and it just doesn't work out that way for some reason. Sometimes it has nothing to do with the lawyers or the claim. The docket gets jammed up and you thought you had a quick summary judgment issue and you don't hear it for a year. That's frustrating to everyone.

I think it does come down to the humans involved. If you've got reasonable people who are trying to get to the right result, those are the easier ones to settle and ones where people understand that it's about money. On the insured side, a lot of times they've lost a lot more than that, but from the coverage perspective, that's what we can do. So, I think it's easier when people understand that that's what we have to work with.

Do you ever deal directly with your insured's risk managers?

I absolutely do. We definitely value our relationship with risk managers and/or the in-house corporate counsel that's handling the insurance program for the insureds. We want an open door policy. We want to be sure that they feel like they can come and talk to the person whom they feel is making the decisions. So, if my team is providing coverage advice and they have a lawyer on their side that really wants to talk about the details of this one case that's going to make or break how this coverage issue goes, then we'll get on the phone and talk to them about it. We definitely are open to that and want them to feel like they can talk to anyone at Markel that they feel like they need to talk to. We definitely want to value those business relationships.

How do you feel about carrier versus carrier lawsuits?

Sometimes they are necessary, but they're not my favorite type of litigation. You see that a lot, obviously, in reinsurance and reinsurance treaties and that's how they're going to handle any disputes between the insurer and the reinsured. They're going to go to arbitration, and you do see sometimes carriers agreeing to go to arbitration to keep their dirty laundry out of the open court (but it doesn't happen). From my experience, it doesn't happen as much as I would have thought.

Interested in learning more? Email [Vince Morgan](mailto:Vince.Morgan).

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