Tips for Staying Out of Court

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Client Communications
Claim Options

Producer & Ag Supplier
Insurance Company
Producer & Ag Supplier
Insurance Company
Consultant
Expert Witness
How I View My Job

- Collect data and form hypothesis
- Set the “table” with information
- Interpret data and explain findings
- Prepare report (*propose settlement*)
- Interact with claimant

Part of the Job

- Dealing with difficult people
- Encountering disreputable individuals
Sources of Comments and Feedback

• Insurance Company Representative

• Ag Service Provider

• Producers

• Third-Party Managers
Reporting Claims
• Treat claimant with respect
• Listen – Listen - - - Then be heard
• Demonstrate willingness to investigate
• Arrange for field inspection
Investigating Claims

- Promptly inspect claims *(don’t procrastinate)*
- Obtain imagery and field pictures
- Review previous Google Earth imagery
- Check SSURGO web site for soil maps
- Discuss damage evaluation procedures
Settling Claims

- Settle claims without insurance company?
- Don’t postpone discussions until after harvest
- Work out yield measurements
- Reference fields / within field / county average
- Get producer buy-in on settlement before harvest
- Dealing with producer attitude
- Insist on original yield map
Assessment Tools and Considerations

- Application maps
- Yield maps
- Satellite imagery (SatShot)
- Historical imagery (Google Earth)
- Climatic information (Mesonet)
- County Production History (NASS)
- Soil survey information (NRCS - SSURGO)
- Production records (FAS / Crop Insurance)
- Drone images

“In all my years, I have never seen an image being wrong. It’s the client that will not admit to the issue.”
Field Operations

- Log and store field application maps
- Yield map access and processing
- Ammonia uniformity
- Consider off-angle application
- Check spinner calibration and levelness
- Out of compliance applications
Internal Operations

- Drivers not good observers / indifferent
- Training employees
- Poor penmanship
- Read the chemical labels (ai rate and dilution, i.e. 4X)
- Calculations / Verify
Beyond the Claim

- Extracting producer information
- Dealing with hobby farmers
- Aggressive producers
- Bad attitudes
- Conniving individuals
- Dealing with claim denial decisions
- Vender intimidation by producers
- Throwing the insurance company under the bus
My Summary:

- Dealing with perceptions
- Challenge in working through “cause & effect”
- How to balance “science” versus “emotions”

“Don’t confuse me with the facts”
Insurance Investigations

Services / Applications
- anhydrous ammonia uniformity
- spinner – spreader uniformity over-lap or not
- wrong field

Chemicals
- Dicamba on soybeans
- 2,4 – DB damage on alfalfa
- planter applied insecticides
- starter substitution
- off – patent herbicides
- sprayer contamination
- non-Roundup Ready crops
- runoff damages

Miscellaneous
- Enogen corn grain sales
- organic field contamination
- Mn toxicity
- compaction / rooting
- S fertilizer explosion

Advice / Recommendations
- N rates - deficiency problems
- hybrid selection (root worm)
- weed control
Example

October 2018

Intervals ~70 ft
12-row planter (30 ft)

Spinner-spreader overlap

August 2015

Intervals ~50 ft)

P application problems

Google Earth

Drone imagery
Anhydrous ammonia applied with 51 ft applicator (20 rows) previous fall
Harvested with new 12-row JD combine (30 ft)
Thank You

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