

SECTION 11

Digests

Clause in third-party settlement agreement signed by employee waiving all claims of heirs, executors, assigns, next of kin, or other legal representatives, does not, absent court approval, operate to waive a minor child's right to seek death benefits under the Act. The employee does not have the right to settle or waive in advance any death benefits that might accrue to his minor children. Section 11 envisions the appointment by a court of a guardian to act on the minor's behalf. St. John Stevedoring Co., Inc. v. Wilfred, 818 F.2d 397, cert. denied, 484 U.S. 976 (1987), aff'g in part and rev'g in part Jones v. St. John Stevedoring Co., Inc., 18 BRBS 68 (1986).