|  |
| --- |
| **PROFESSIONAL LIABILITY INSURANCE FOR LAWYERS AND LAW FIRMS****APPLICATION** |
| **NOTICE**: This professional liability coverage is provided on a **Claims Made** basis. Only claims that are first made against the insured and reported to the Company during the policy term are covered, subject to the policy provisions. |
| Applicant Instructions: Carefully read all statements and questions on this application. Answer all questions in ink. If a question does not apply, state “N/A”. If space is insufficient to answer all questions fully, use separate sheets of paper. The application and all attachments must be signed and dated by named applicant, partner or officer. A copy of your business stationery must be attached. |
| Effective Date Requested for This Application / /  |
| Limits of Liability Desired: $ Deductible Desired $  |
| 1. | a. Name of Applicant (Firm Name):  |
|  | b. Name of Designated Contact:  |
|  | c. Physical Address:  (Street) (City) (County) (State) (Zip) |
|  | d. Telephone Number: (\_\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Facsimile Number: (\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­\_\_\_\_ |
| 2. | Date Firm Established \_\_\_\_\_\_\_/\_\_\_\_\_\_\_/\_\_\_\_\_\_\_  |
| 3. | Applicant is: \_\_\_ Sole Proprietor \_\_\_ Professional Association \_\_\_ Partnership \_\_\_ P.C. \_\_\_ L.L.C. \_\_\_ Other (please describe)  |
| 4. | During the past six (6) years, has the number of lawyers in the firm been altered by more than 30% in any one year? If Yes, provide additional information on the Detail Information Addendum.  |  Yes [ ]  No [ ]  |
| 5. | List all predecessor firms of Applicant. If not applicable, state N/A. A predecessor firm is any legal entity, which is engaged in the practice of law to whose financial assets and liabilities the applicant is the majority successor in interest. |  |
|  | Name of Firm | Date Established | Date of Merger |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| 6. | Does the applicant:1. have any additional office locations?
 |  Yes [ ]  No [ ]  |
|  | 1. share office space with lawyers who are not a part of the applicant firm?
 |  Yes [ ]  No [ ]  |
|  | 1. share secretarial service/staff with others who are not a part of the applicant firm?
 |  Yes [ ]  No [ ]  |
|  | 1. share letterhead with non-firm members?
 |  Yes [ ]  No [ ]  |
|  | If Yes to any of the above, provide details on the Detail Information Addendum and supply a sample of the letterhead. |
| 7. | If the Applicant is a sole practitioner, is a backup lawyer available in the applicant's absence? Yes [ ]  No [ ] Name and address of backup attorney:    |  Yes [ ]  No [ ]  |
| 8. | Number support staff: Law clerk/paralegal Secretarial/clerical Other: If ratio of staff to attorneys is greater than 2:1, provide details on the Detail Information Addendum. |

|  |  |  |
| --- | --- | --- |
| 9. | List below, all LAWYERS of the firm. Attach a separate sheet if additional space is required. “O” Owner/Officer/Director “P” Partner “E” Employed lawyer “OC” Of Counsel “IC” Independent Contractor |  |
|  | Name of Attorney | Designation | States of Admission | Year Admitted | Date of hire withapplicant or predecessor firm | Number hours CLE in the past 12 months |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  | If additional space is needed, complete the Attorney Detail Supplement. |  |
| 10. | Complete the following for each Part-time Attorney, Of Counsel, Independent Contractor, or Per Diem hired by the firm. |  |
|  | Name of Attorney | Designation | Date of Hire | Hours worked per week for applicant | Separate Professional Liability Insurance? |  |
|  |  |  |  |  | Yes [ ]  No [ ]  |  |
|  |  |  |  |  | Yes [ ]  No [ ]  |  |
|  |  |  |  |  | Yes [ ]  No [ ]  |  |
|  |  |  |  |  |  |  |
| 11. | Is any lawyer proposed for this insurance an employee of any organization other than the applicant? If Yes, provide details on the Detail Information Addendum. | Yes [ ]  No [ ]  |
| 12. | Has any lawyer proposed for this insurance provided any professional services as an Accountant, Realtor, Investment Advisor, Insurance Agent, Professional Agent or other non-legal capacity? If Yes, provide details on the Detail Information Addendum. | Yes [ ]  No [ ]  |
| 13. | Does any lawyer proposed for this insurance:1. act as a director, officer, partner or trustee for, or exercise any form of managerial or fiduciary control over, any business enterprise of a client other than the applicant?
 | Yes [ ]  No [ ]  |
|  | 1. own, manage, have financial control over, or equity interest in, any business enterprise of a client other than the applicant or its predecessor firms?

 If Yes to a or b above, complete the Outside Interests Supplemental Application. | Yes [ ]  No [ ]  |
| 14. | Has any lawyer proposed for this insurance ever been denied the right to practice, suspended from practice, disbarred, reprimanded or had other disciplinary action taken against him or her by any court or administrative agency? If Yes, provide details on the Detail Information Addendum.  | Yes [ ]  No [ ]  |
| 15. | List All Lawyers Professional Liability Insurance carried during the past consecutive five (5) years for the applicant and/or any predecessor firm thereof. If no current coverage is in force, check the box: [ ]  |  |
|  | Policy Inception | Policy Expiration | Insurance Company | Policy Limits | Deductible | Annual Premium | Number Attorneys |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| 16. | Insurance Details:1. Inception date of the applicant’s first continuous claims made professional liability insurance:
 | \_\_\_\_\_\_\_\_\_\_\_\_ |
|  | 1. Does the current policy have a retroactive/prior acts date applicable to the applicant?

 If Yes, provide exact date.  | Yes [ ]  No [ ] \_\_\_\_\_\_\_\_\_\_\_\_ |
|  | 1. Does the current policy have any limiting endorsements or exclusions?

 If Yes, provide details:  | Yes [ ]  No [ ]  |
|  | 1. Has the applicant, its predecessor firms, or any lawyer proposed for this insurance, purchased an Extended Reporting Period (ERP) Endorsement?

 If Yes, please complete: Effective from \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_\_\_ to \_\_\_\_\_/\_\_\_\_\_\_/\_\_\_\_\_\_\_ | Yes [ ]  No [ ]  |

|  |  |  |
| --- | --- | --- |
| 17. | Indicate the percent of the Applicant's income derived from the following types of practice. (MUST TOTAL 100%) |  |
|  | DEFENSE | % | Ad Valorem Tax – Commercial |  | Provide Additional Information\* | % |  |
|  | Admiralty |  | Ad Valorem Tax – Residential |  | Corporate General  |  |  |
|  | Arbitration / Mediation |  | Administrative Law |  | Environmental |  |  |
|  | BI/PI |  | Adoptions |  | Fiduciary |  |  |
|  | Civil Rights / Employment |  | Antitrust Trade Regulations |  | Investment Cnsling / Money Mgt |  |  |
|  | Class Action / Mass Tort |  | Bankruptcy |  | Mergers & Acquisitions |  |  |
|  | Commercial Litigation |  | Collection |  | Oil and Gas |  |  |
|  | Criminal |  | Communication |  | Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |
|  | Insurance Company |  | Construction |  | Venture Capital |  |  |
|  | Medical Malpractice |  | Corporation Formation |  |  |  |  |
|  | Product Liability |  | Divorce |  | **Complete Additional Supplement**  |  |  |
|  | Workers Compensation |  | Estate Planning |  | Abstracting / Title |  |  |
|  |  |  | ERISA |  | Banking / Financial Institutions |  |  |
|  | **PLAINTIFF** (complete supplement) |  | Family Law (other than Divorce) |  | Bonds |  |  |
|  | Admiralty |  | Foreclosures |  | Copyright |  |  |
|  | BI/PI Plaintiff |  | Health |  | Entertainment |  |  |
|  | Civil Rights / Employment |  | Housing Court |  | Limited Partnerships |  |  |
|  | Class Action / Mass Tort |  | Immigration |  | Patent |  |  |
|  | Commercial Litigation |  | International |  | Private Placements |  |  |
|  | Medical Malpractice |  | Labor – Employee / Union |  | Real Estate – Residential |  |  |
|  | Product Liability |  | Labor – Management |  | Real Estate – Commercial |  |  |
|  | Workers Compensation |  | Local Government / Municipal |  | Real Estate Development |  |  |
|  |  |  | Public Utilities |  | Securities – Federal |  |  |
|  | TAX – Individual Preparation |  | Social Security |  | Securities – State |  |  |
|  | TAX – Commercial Preparation |  | Water Law |  | Syndications |  |  |
|  | TAX – Opinions |  | Wills and Trusts |  | Trademark |  |  |
|  | \* Provide additional information on the Detail Information Addendum or complete the appropriate supplement. |  |  |
|  |  |  |
| 18. | Within the past six (6) years has the applicant or any attorney proposed for this insurance: 1. Provided any legal services for or on behalf of any financial institution?
 | Yes [ ]  No [ ]  |
|  | 1. Provided any legal services for or in connection with any IPO, Bond, Private Placement, Syndication or any Securities related matter?
 | Yes [ ]  No [ ]  |
|  | 1. Provided any legal services for or on behalf of any Class Action matter?
 | Yes [ ]  No [ ]  |
|  | 1. Provided any legal services for any Entertainment client or the Entertainment industry?
 | Yes [ ]  No [ ]  |
|  | 1. Provided any legal services for or in connection with any Copyright, Patent or Trademark matter?
 | Yes [ ]  No [ ]  |
|  | 1. Provided any legal services for or in connection with any Environmental matter?

If Yes to any of the above, complete the appropriate Supplement. | Yes [ ]  No [ ]  |
| 19. | Do you require Title Insurance Coverage? 1. Number of lawyers who are Title Agents:
2. Name of Title Company Represented:
3. Do you require coverage for a Title Agency (provide name)?
4. If Yes, is the agency wholly owned by the firm and/or its members?
 | Yes [ ]  No [ ] \_\_\_\_\_\_\_\_\_Yes [ ]  No [ ]  |
| 20. | Gross Revenue for the past three (3) years: |  |
|  | Most Recent Twelve (12) months | One (1) Year Prior | Two (2) Years Prior |  |
|  |  |  |  |  |
|  |  |  |
| 21. | Within the past six (6) years, has any one client generated 20% or more of gross revenue? If Yes, complete the following table. | Yes [ ]  No [ ]  |
|  | Name of Client | Services Provided | Percentage of Gross Revenue |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| 22. | Docket/Diary Control System:1. Do you maintain a central docket control system?
2. Does the applicant have at least two (2) methods for docket control?
3. Does the applicant utilize a computer program for docket control?
4. Does the ultimate responsibility for docket control, including entry, rest with the handling lawyer?
5. Does the applicant crosscheck its docket controls?
6. If Yes, how frequently?

**If No, provided details on the Detail Information Addendum.** | Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] \_\_\_\_\_\_\_\_\_\_ |
| 23. | How many suits for fees were initiated by the Applicant against clients during the past 24 months? 1. How many have been resolved?
2. What percentage of fees are more than 90 days past due?
3. How frequently are invoices provided to clients?
 | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 24. | Does the applicant utilize the following for **ALL** clients? 1. Engagement letters that include the scope of services & fee arrangements? Yes [ ]  No [ ]
2. Non-engagement/declination letters? Yes [ ]  No [ ]
3. Disengagement/closing letters? Yes [ ]  No [ ]

**If No, provide details on the Detail Information Addendum.** | Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ]  |
| 25. | Does the applicant maintain a conflict of interest avoidance system? Yes [ ]  No [ ]  **If No, provide details on the Detail Information Addendum.**1. Systems used to check conflicts of interest:
2. How frequently are checks made for conflicts of interest?
3. How are conflict of interest situations addressed and disclosed to clients/potential clients? Check all that apply.

 [ ]  Non-Engagement Letters [ ]  Signed Waiver Obtained from all parties [ ]  Oral Disclosure to all parties [ ]  Referral to other lawyer / law firm | Yes [ ]  No [ ]  |
| 26. | Does the applicant communicate with clients by electronic mail? 1. If Yes, are records maintained of all electronic mail communications? Yes [ ]  No [ ]
2. Does the firm have guidelines restricting the types of communication over the internet? Yes [ ]  No [ ]
 | Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ]  |
| 27. | Does the applicant have a website? Yes [ ]  No [ ] If Yes, provide the Web Address: 1. Does the website offer legal advice?
2. Does the applicant collect sensitive or confidential information at the web site? Yes [ ]  No [ ]
3. Is all information collected kept confidential? Yes [ ]  No [ ]
4. Does the applicant have a firewall installed to protect the network and prevent hacker attacks? Yes [ ]  No [ ]
5. Does the applicant have virus-detecting software installed to protect against viruses? Yes [ ]  No [ ]
6. Does the applicant have back-up and recovery systems in place? Yes [ ]  No [ ]
 | Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ]  |
| 28. | Has any application for Lawyers Professional Liability Insurance on behalf of the applicant, its predecessor firms or any lawyers proposed for this insurance been declined, policy canceled or renewal of such insurance been refused? Yes [ ]  No [ ] **If Yes, provide details on the Detail Information Addendum.** | Yes [ ]  No [ ]  |
| 29. | During the past five (5) years, has any claim or suit been filed against the applicant, its predecessor firms or any of the lawyers proposed for this insurance? Yes [ ]  No [ ] **If Yes, complete a Claim Supplement for each claim or suit.** Number? | Yes [ ]  No [ ] \_\_\_\_\_\_\_\_\_ |
| 30. | After inquiry, is the applicant, its predecessor firms or any lawyer proposed for this insurance aware of: a. any circumstance, act, error, omission or personal injury which could be the basis of a claim or suit? b. any potential malpractice claim or suit reported to a previous insurance carrier? c. any adverse judgment that could be the basis of a claim or suit?  d. any missed statute of limitations? **If Yes to any of the above, complete a Claim Supplement for each.** Number? | Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] Yes [ ]  No [ ] \_\_\_\_\_\_\_\_\_ |
| **NOTICE**: To avoid loss of coverage, it is imperative that all known claims and/or circumstances, acts, errors or personal injuries that could result in a professional liability claim against the applicant, its predecessor firms or any lawyers in the firm be reported to your current insurer within the time period specified in your current policy. |
| The undersigned represents that the statements set forth herein are true, complete and accurate and that there has been no attempt at suppression or misstatement of any material facts known, or which should be known, and agrees that this application and all supplements and attachments hereto shall become the basis of any coverage and a part of any policy that may be issued by the Company. |
| The execution of this application does not bind the undersigned to purchase any coverage offered, nor does the receipt and or review of this application bind the Company to offer coverage or issue a policy. |
| **General Fraud Warning: Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.** |
| **Purchasing Group Intent to Join**The undersigned insured hereby consents to join ProAssurance Lawyers Purchasing Group, a purchasing group formed under the provision of the Liability Risk Retention Act of 1986. One of the purposes of this group is to purchase insurance on a group basis. ProAssurance Indemnity Company, Inc., with its home office located in Birmingham, Alabama, underwrites insurance policies issued for this group and may not be subject to all the rules and regulations of your state. |
| APPLICANT’S AUTHORIZATION AND CERTIFICATIONThe undersigned on behalf of the applicant firm and all members of the firm authorizes the release of all information to the Company from any past or present bar association of which any member of the firm is currently or has been a member; any person(s) who has information concerning any firm member’s fitness to practice; any insurance company to which the applicant firm or any member of the firm has applied for professional liability insurance, whether such coverage was granted or not; and any employer for whom any member of the firm performed legal services, whether as an employee or an independent contractor.The applicant firm and all members of the firm understand that the information requested by the Company may include, but not necessarily be limited to, any occurrence, incident, claim or suit in which any member of the firm may be or may have been involved; any denial, suspension, revocation or other disciplinary action taken by any bar association, governmental licensing authority, court, administrative agency or other appropriate authority; or any action of a civil or criminal nature taken against the firm or any member of the firm that resulted from or was alleged to have been a part of any professional activities. The applicant firm and all members of the firm understand that the information will be used in addition to the application in determining whether the Company will issue insurance to the firm.The applicant firm and all members of the firm agree that the persons providing the information and their agents, directors and employees, shall not incur any liability as a result of any information released in good faith pursuant to this authorization including any errors, omissions or mistakes contained in such information.The applicant firm and all members of the firm understand that this is an application for insurance, and shall not bind the Company to the issuance of insurance, nor shall it bind the firm to the acceptance of a policy.**THE UNDERSIGNED ON BEHALF OF THE APPLICANT FIRM AND ALL MEMBERS OF THE FIRM CERTIFIES THAT THE ABOVE APPLICATION HAS BEEN READ AND THAT ALL STATEMENTS MADE IN THIS APPLICATION ARE TRUE, MATERIAL AND COMPLETE. THE UNDERSIGNED UNDERSTANDS THAT: (1) IF THE POLICY IS ISSUED, THIS IS DONE BY THE COMPANY IN RELIANCE UPON THESE REPRESENTATIONS; AND (2) ANY COVERAGE OBTAINED BY FRAUD, MATERIAL MISREPRESENTATION OR OMISSION IS VOID.** |
| Signature of Partner, Officer or Owner Date  |
| Print or Type Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Firm Name  |