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 Website: [www.tlie.org](http://www.tlie.org) / Email: [info@tlie.org](mailto:info@tlie.org)

## APPLICATION FOR ATTORNEYS' PROFESSIONAL LIABILITY INSURANCE POLICY

*Please note that this application is for a claims made and reported policy that will provide coverage for claims first made and reported to TLIE during the policy period subject to all terms, conditions and exclusions as specified in any policy that may be issued to the Applicant.*

### ALL QUESTIONS MUST BE ANSWERED AND REQUIRED SUPPLEMENTS COMPLETED TO AVOID A DELAY IN PROCESSING YOUR APPLICATION.

#### INSTRUCTIONS (Please print or type all responses to the following questions.)

- (a) If any space is insufficient for a complete reply, attach a separate sheet, identifying the question number you are answering.
- (b) If your answer to a question is "none," state "none" or "N/A" instead of leaving a blank.

#### INFORMATION ABOUT YOUR PRACTICE

1. Name of Applicant: \_\_\_\_\_
2. Whom should we contact first if we have a question about your application? \_\_\_\_\_
3. Does the firm employ a full-time non-lawyer administrator?  
 Yes  No **If yes, name:** \_\_\_\_\_
4. **ATTACH A COPY OF THE APPLICANT'S LETTERHEAD.** If new letterhead is not yet available, please attach a typed draft version of your anticipated letterhead.
5. Date firm established: \_\_\_\_\_ Taxpayer ID#: \_\_\_\_\_
6. Check Type of Practice:  
 Individual  L.L.P.  Partnership  P.L.L.C.  P.C.  Joint Venture  Other (specify) \_\_\_\_\_
7. (a) Principal Office Mailing Address:  
 Street \_\_\_\_\_ P.O. Box \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_  
 Phone ( ) \_\_\_\_\_ FAX ( ) \_\_\_\_\_ Email \_\_\_\_\_  
 **Check here if billing and policy information should be sent to a different address.**  
**Provide address:** \_\_\_\_\_
- (b) Website: \_\_\_\_\_
- (c) Number of Offices: \_\_\_\_\_. If more than one office, list addresses and name of individual office managers on an additional sheet if not shown on letterhead. If a virtual office, please designate as such.
8. Are there any firms, other than the one named in response to Question 1, that you want covered by the insurance for which you are applying?  
 Yes  No **If yes, list each firm name, dates that the firm existed and the approximate number of attorneys associated with each firm. Please note that TLIE reserves the right to reject or limit coverage for any entity listed in response to this question. Further, if a firm name is merely a prior name for the firm listed in response to Question 1 and no new legal entity was created when the name was changed, you need only note that there was a name change. ONLY FIRMS LISTED OR DEFINED AS AN "INSURED" BY THE POLICY WILL BE COVERED.**

#### INFORMATION ABOUT ATTORNEYS

9. You must complete **BOTH SIDES** of the **Attorney Information Supplement** which requests information about each attorney for whom insurance coverage is requested, even if you are a sole practitioner. You may provide the requested information on your own form if it provides all the applicable information. Failure to provide information will cause a delay in processing your application. **Any attorney listed on the supplement is referred to as a firm member in other questions on the application.**
10. "Of Counsel" Relationships
  - (a) Does someone act as "Of Counsel" to your firm or is an "Of Counsel" listed on your firm's letterhead or website?  
 Yes  No **If yes, be sure to include any "Of Counsel" in your response to Question 9 and complete the Of Counsel Information Supplement.**

(b) Does any firm member act as "Of Counsel" to another law firm?

Yes  No **If yes, please provide the name and address of that other firm, the average hours per week spent in that capacity versus the average hours per week spent on behalf of the firm listed in response to Question #1, the date you started that relationship and whether or not that other firm carries professional liability insurance:** \_\_\_\_\_

\_\_\_\_\_

11. Provide the following information for each attorney who has left your firm within the last 12 months. Attach additional sheet if necessary.

Attorney's Name	Date Attorney Joined Firm	Date Attorney Left Firm

**NATURE OF YOUR PRACTICE**

12. List the percentage of time devoted by the Applicant to the specific areas of practice shown below.

**A. REAL ESTATE – EXCLUDING SYNDICATIONS**

- \_\_\_% (1) Commercial Real Estate
- \_\_\_% (2) Residential Real Estate
- \_\_\_% (3) Foreclosure on Real Estate
- \_\_\_% (4) Real Estate other than (1), (2) or (3)

**B. GENERAL BUSINESS – OTHER THAN REAL ESTATE**

- \_\_\_% (1) Collections, Bankruptcy, Other Debt
- \_\_\_% (2) Business Organization Matters
- \_\_\_% (3) Business Transactions – Contracts
- \_\_\_% (4) General Business/Corporate Advice
- \_\_\_% (5) Financial Institution Representation

**C. FIDUCIARY – OTHER THAN FORECLOSURE SALES**

- \_\_\_% (1) ERISA
- \_\_\_% (2) Employee Benefits
- \_\_\_% (3) Attorney/Guardian Ad Litem

**D. SECURITIES LAW – INCLUDES ACTIVITIES THAT USE OR CONTEMPLATE THE USE OF INVESTOR FUNDS**

\_\_\_% If any, complete the Securities Supplement.

**E. ESTATE, TRUST AND PROBATE LAW**

- \_\_\_% (1) Estate Administration
- \_\_\_% (2) Estate Planning
- \_\_\_% (3) Trust Administration
- \_\_\_% (4) Wills – Drafting
- \_\_\_% (5) Probate

**F. FAMILY LAW**

- \_\_\_% (1) Domestic Relations – Including Divorce
- \_\_\_% (2) Juvenile Proceedings
- \_\_\_% (3) Adoption Services

**G. PLAINTIFF REPRESENTATION FOR:**

- \_\_\_% (1) Bodily Injury or Personal Injury
- \_\_\_% (2) Workers' Compensation
- \_\_\_% (3) Medical Malpractice
- \_\_\_% (4) Mass/Group Tort, Class Action

**H. OTHER PLAINTIFF REPRESENTATION**

- \_\_\_% (1) Persons Seeking Other Affirmative Relief Under Civil Law
- \_\_\_% (2) Commercial Litigation

**I. DEFENSE**

- \_\_\_% (1) Insurance Defense
- \_\_\_% (2) Commercial Litigation Defense
- \_\_\_% (3) Criminal

**J. INTELLECTUAL PROPERTY**

\_\_\_% If any, complete the Intellectual Property Supplement. Includes Copyright/Trademark

**K. TAXATION – INCLUDES TAX OPINIONS**

- \_\_\_% (1) Corporate
- \_\_\_% (2) Individual
- \_\_\_% (3) Shelters

**L. OTHER – INCLUDES OIL & GAS TITLE WORK (PLEASE LIST)**

- \_\_\_% (1) Oil & Gas
- \_\_\_% (2) \_\_\_\_\_
- \_\_\_% (3) \_\_\_\_\_
- \_\_\_% (4) \_\_\_\_\_
- \_\_\_% (5) \_\_\_\_\_
- \_\_\_% (6) \_\_\_\_\_
- \_\_\_% (7) \_\_\_\_\_

**The Total Must Equal 100%**

**SPECIFIC RELATIONSHIPS OR SERVICES**

13. Has any attorney who is or was a member of any firm entity listed in response to Questions 1 or 8 served as a director or officer of a financial institution or provided legal services to any financial institution in the past 10 years? Answer "yes" even if the financial institution is no longer a client of the firm or the attorney who provided services to the financial institution is no longer with your firm.

Yes  No **If yes, complete the Financial Institution Information Supplement for each institution. Financial institutions include savings and loans, banks, credit unions, savings associations and building and loan associations, as well as service companies, subsidiaries and parent companies of such entities.**

14. Does the Applicant participate in or own an interest in a joint venture or subsidiary to provide specialized legal services to one or more clients?

Yes  No **If yes, and you have an ownership interest, complete the Equity Interest Supplement. If yes, and you participate in a joint venture, please provide details on a separate sheet. Include the following: the purpose of the joint venture, the firm/attorneys with whom you joint venture, the expected duration of the joint venture, and whether the other parties maintain professional liability insurance. (Note: Mere referral arrangements are not the intent of this question.) How much time, expressed as a percentage of total firm time (not billable hours), is devoted to this activity? \_\_\_\_\_**

15. Has the Applicant or any firm member represented any client(s) in which firm members have an equity interest or for whom a firm member is an officer, director or employee? Be sure to include any interest in title companies for which the Applicant provides legal services.

Yes  No **If yes, complete the Equity Interest Supplement.**

16. Does any firm member perform legal services as an employee of a governmental body, a company, or for any entity other than the Applicant?

Yes  No **If yes, provide the details of such employment on a separate sheet.**

17. Has the Applicant or any firm member ever acted as an investment manager or advisor for any client or ever had discretionary authority over the funds of any client?

Yes  No **If yes, provide details on a separate sheet.**

18. Does your firm share office space or expenses with another firm?

Yes  No **If yes, provide the following information about each of those firms.**

Attorney/Firm Name	Bar Card Number	Date Sharing Began

19. (a) Is the Applicant or any firm member a(n):

- Yes  No **Licensed escrow officer for a title company?**
- Yes  No **Fee attorney for a title company?**
- Yes  No **Outside closing attorney, approved attorney or P-22 attorney?**

(b)  Yes  No **Do you have any agreements with title companies? If yes, please provide copies of any such agreements.**

(c) **How many non-attorney licensed escrow officers are currently employed by the Applicant?** \_\_\_\_\_

20. If the Applicant is a solo attorney, list any attorneys responsible for your practice in the event of a prolonged absence: \_\_\_\_\_

**FIRM POLICIES AND PROCEDURES**

21. Does the Applicant have written policies and procedures regarding scheduling of work, deadlines and appointments?

Yes  No **If yes, please attach a copy of those policies and procedures. If no, please describe on a separate sheet the manner in which scheduling of work, deadlines and appointments are handled, including who keeps track of the schedule.**

22. Does the Applicant:

- a.  Yes  No Utilize an engagement letter when accepting a representation which clearly shows the scope of services to be provided, the terms, and the rates applicable to the representation?
- b.  Yes  No Utilize a non-engagement letter when declining a representation?
- c.  Yes  No Utilize a disengagement letter when ceasing representation?

23. Does the Applicant have written policies regarding the avoidance of conflicts of interest?

Yes  No **If yes, attach copies. Be sure to include policies regarding business dealings with clients and services as an officer or director of a client. If no, describe the methods used to avoid conflicts of interest or check which of the following you use:**  
 Memory  Discussion with Firm Members  Computer  Index Files  Interoffice Memos  Other

24. If a potential conflict exists, do you obtain written conflict waivers that clearly:

- Yes  No Advise the clients of the nature of the conflict?
- Yes  No Advise the clients how it could affect the representation?
- Yes  No Advise the clients to consider consulting another attorney either about the conflict and/or the original matter prior to signing a waiver?

25. Does the Applicant have a written policy regarding filing suit against clients for delinquent fees?  
 Yes  No **If yes, attach a copy of your policy.**
26. Has the Applicant filed any suit for delinquent fees against clients in the last three years?  
 Yes  No **If yes, how many suits have been filed?** \_\_\_\_\_  
**How many of these suits for fees resulted in a counterclaim for legal malpractice or breach of fiduciary duty?** \_\_\_\_\_

**"PART-TIME," INDEPENDENT CONTRACTORS, OR "CONTRACT" ATTORNEYS**

27. If you are a solo attorney currently averaging 24 hours or less per week in actual practice (not billable hours), you may qualify for the Part-Time Basic Policy. Please provide the following information regarding your hours worked.

Current Avg Hours per Week	Last Year Avg Hours per Week	Two Years Ago Avg Hours per Week	Three Years Ago Avg Hours per Week	Four Years Ago Avg Hours per week

28. Are you a solo attorney currently working at least 75% of the time as an independent contractor/contract attorney for other law firm(s)?  
 Yes  No **a. If yes, please provide the name(s) of the firm(s):** \_\_\_\_\_  
**b. How many of the past four years have you spent working at least 75% of the time as an independent contractor/contract attorney for other law firm(s)?** \_\_\_\_\_

**INSURANCE LIMITS OF LIABILITY AND DEDUCTIBLES REQUESTED**

29. TLIE RESERVES THE RIGHT TO RESTRICT THE AVAILABILITY OF LIMITS OF LIABILITY AND DEDUCTIBLES. DEDUCTIBLES IN EXCESS OF \$10,000 MAY REQUIRE THE SUBMISSION OF AN ACCEPTABLE FINANCIAL STATEMENT.

Indicate below the type of policy or policies, limits of liability and deductible(s) for which you would like to receive quotes. For assistance, please refer to our website: [www.tlie.org](http://www.tlie.org) and the materials under the "Purchasing Insurance" heading, or contact our Member Services Department directly.

<u>Limits of Liability</u>		<u>Deductible</u>		<b>Regular Policy</b>																					
\$ Per Claim/Aggregate		\$ Per Policy Year																							
100,000/100,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>																
100,000/300,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>																
200,000/600,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>																
500,000/500,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>												
500,000/1,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>										
1,000,000/1,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>										
2,000,000/2,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>	100K/300K	<input type="checkbox"/>	250K	<input type="checkbox"/>						
3,000,000/3,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>	100K/300K	<input type="checkbox"/>	250K	<input type="checkbox"/>						
4,000,000/4,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>	100K/300K	<input type="checkbox"/>	250K	<input type="checkbox"/>	250K/750K	<input type="checkbox"/>	500K	<input type="checkbox"/>		
5,000,000/5,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>	100K/300K	<input type="checkbox"/>	250K	<input type="checkbox"/>	250K/750K	<input type="checkbox"/>	500K	<input type="checkbox"/>	500K/1M	<input type="checkbox"/>
5,000,000/10,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>	100K/300K	<input type="checkbox"/>	250K	<input type="checkbox"/>	250K/750K	<input type="checkbox"/>	500K	<input type="checkbox"/>	500K/1M	<input type="checkbox"/>
10,000,000/10,000,000	<input type="checkbox"/>	1K	<input type="checkbox"/>	3K	<input type="checkbox"/>	5K	<input type="checkbox"/>	10K	<input type="checkbox"/>	25K	<input type="checkbox"/>	50K	<input type="checkbox"/>	100K	<input type="checkbox"/>	100K/300K	<input type="checkbox"/>	250K	<input type="checkbox"/>	250K/750K	<input type="checkbox"/>	500K	<input type="checkbox"/>	500K/1M	<input type="checkbox"/>
<input type="checkbox"/> Other Limits (specify) _____																									

<b>Basic Policy</b>		<b>New Attorney Basic Policy*</b>		<b>Part-Time Basic Policy*</b>	
<u>Limits of Liability</u>	<u>Deductible</u>	<u>Limits of Liability</u>	<u>Deductible</u>	<u>Limits of Liability</u>	<u>Deductible</u>
\$ Per Claim/Aggregate	\$ Per Policy Year	\$ Per Claim/Aggregate	\$ Per Policy Year	\$ Per Claim/Aggregate	\$ Per Policy Year
100,000/300,000 <input type="checkbox"/>	1K	100,000/300,000 <input type="checkbox"/>	1K	100,000/300,000 <input type="checkbox"/>	1K
200,000/600,000 <input type="checkbox"/>	1K	*You must have been practicing for less than four years to potentially qualify for this option.		*You must have completed Question 27 to potentially qualify for this option.	
500,000/500,000 <input type="checkbox"/>	1K				
1,000,000/1,000,000 <input type="checkbox"/>	1K				

<b>Contract Attorney Basic Policy*</b>		<b>Referral Service Only Basic Policy*</b>		Name of Referral Service: _____
<u>Limits of Liability</u>	<u>Deductible</u>	<u>Limits of Liability</u>	<u>Deductible</u>	
\$ Per Claim/Aggregate	\$ Per Policy Year	\$ Per Claim/Aggregate	\$ Per Policy Year	
100,000/300,000 <input type="checkbox"/>	1K	100,000/300,000 <input type="checkbox"/>	1K	
*You must have completed Question 28 to potentially qualify for this option.		* The Referral Service Policy is for attorneys who only need coverage for certain ABA accredited referral services.		

**INSURANCE AND LIABILITY HISTORY**

ALL REPRESENTATIONS IN THIS APPLICATION ARE MADE ON BEHALF OF THE APPLICANT, ALL FIRM MEMBERS AND NON-ATTORNEY EMPLOYEES. THE FOLLOWING QUESTIONS SHOULD BE ANSWERED BY THE PERSON SIGNING THE APPLICATION ONLY IF RECENT INQUIRY HAS BEEN MADE TO FIRM MEMBERS AND NON-ATTORNEYS EMPLOYED BY THE APPLICANT ABOUT THEIR KNOWLEDGE OF ANSWERS TO THE QUESTIONS. BOTH FIRM MEMBERS AND EMPLOYEES (INCLUDING NON-ATTORNEYS) OF THE APPLICANT MUST SUPPLEMENT THE ANSWERS TO THESE QUESTIONS AS CIRCUMSTANCES CHANGE UNTIL ISSUANCE OF A POLICY.

30. List the information requested about professional liability insurance policies issued to the Applicant in the past five years, beginning with any coverage currently in force.

Insurance Company	Limits	Deductible	Expiration Date	Premium	Give effective dates for any Extended Reporting Tail Options Purchased

IF CURRENTLY INSURED, PLEASE PROVIDE THE PRIOR ACTS OR RETROACTIVE DATE OF YOUR CURRENT POLICY: \_\_\_\_\_

Please attach a copy of your current Declarations page and all Endorsements.

- 31. Has the Applicant or any firm member ever had professional liability insurance canceled, declined or not renewed?  
 Yes  No **If yes, attach a copy of the cancellation, declination or nonrenewal notice(s).**
- 32. Has the Applicant or any firm member ever been the subject of a professional liability claim?  
 Yes  No **If yes, complete the Claim Information Supplement.**
- 33. Does any firm member or employee (including non-attorneys) of the Applicant know, have reason to know, or have any basis to believe that a circumstance, act, error or omission might reasonably be expected to be the basis for a professional liability claim against the Applicant or any attorney listed on the **Attorney Information Supplement**?  
 Yes  No **If yes, attach the Claim Information Supplement. ANY SUCH MATTERS SHOULD BE REPORTED TO YOUR CURRENT INSURER AND WILL NOT BE COVERED UNDER A SUBSEQUENT TLIE POLICY.**
- 34. Has any firm member had a grievance filed against him or her in the past five years?  
 Yes  No **If yes, attach a copy of the grievance, a description of the circumstances of the grievance, and the status or outcome of any grievance proceeding.**  
 Was any grievance accompanied by a related claim for legal malpractice?  
 Yes  No **If yes, attach the Claim Information Supplement.**
- 35. Has any firm member ever voluntarily accepted discipline or been refused admission to the bar, reprimanded (privately or publicly), suspended from the practice of law, disbarred, received a probationary license or otherwise disciplined by any disciplinary or licensing authority?  
 Yes  No **If yes, provide full details on a separate sheet.**

**NOTE: BEFORE SIGNING THIS APPLICATION, PLEASE MAKE SURE THAT ALL QUESTIONS ARE COMPLETELY ANSWERED, APPROPRIATE SUPPLEMENTS ARE COMPLETED AND THAT YOU HAVE ATTACHED A COPY OF YOUR FIRM'S LETTERHEAD. Please note the additional Supplements may be accessed through our website, [www.tlie.org](http://www.tlie.org), if needed.**

**CHECKLIST:**

- HAVE YOU INCLUDED A COPY OF YOUR LETTERHEAD?
- SIGN AND DATE THE WARRANTY AND SUBSCRIBER'S AGREEMENT AND POWER OF ATTORNEY BELOW?
- HAVE YOU INCLUDED YOUR PRIOR EMPLOYMENT HISTORY, IF ANY?
- IF CURRENTLY INSURED WITH ANOTHER COMPANY, HAVE YOU INCLUDED A COPY OF THE DECLARATIONS PAGE AND ANY ENDORSEMENTS?

**WARRANTY**

On behalf of the Applicant(s) and all firm members and employees of the Applicant(s), I/we hereby warrant and declare that the foregoing statements and particulars are true and that I/we have not suppressed or misstated any material facts and I/we agree that this application shall be the basis of the contract with the Association; and it is agreed that all representations contained herein are material as a matter of law, and that I/we will immediately notify the Association, said representations being deemed continuous, of any change in facts occurring prior to issuance of insurance pursuant hereto.

On behalf of the Applicant(s) and all firm members and employees of the Applicant(s), I/we hereby authorize release to the Association or its authorized representative, by any State Bar Association, my/our present and prior professional liability insurance carriers, or any other sources, any claims, underwriting, or other information having a bearing upon my/our acceptability as a professional liability insurance risk.

It is understood that this is an application for insurance and not an insurance binder. **CAUTION:** Any misstatements made in this application could invalidate any policy issued on the basis of this application.

Applicant's Name (as appears in Question #1): \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name and Position: \_\_\_\_\_

**\* IMPORTANT: To complete this application, please execute the Subscriber's Agreement and Power of Attorney below.**

**SUBSCRIBER'S AGREEMENT AND POWER OF ATTORNEY**

The undersigned hereafter known as the Subscriber, agrees with other Subscribers at an Exchange known as the TEXAS LAWYERS' INSURANCE EXCHANGE, hereinafter referred to as the Association, located in Austin, Texas, to exchange private contracts of indemnity. To that end, I hereby appoint the President of the Association and/or such person or persons as may be designated by the Board of Directors in accordance with Article VIII, Section 8 of the Bylaws, and licensed by the Commissioner of Insurance of the State of Texas, with full powers of substitution and revocation, and with authority to act jointly and severally, as my Attorney-in-Fact, in my name, place and stead, to represent me in the following matters:

1. *To exchange with other Subscribers at such Exchange, insurance coverages as now or hereafter authorized by the Board of Directors; to subscribe and deliver all proper contracts of insurance; to take any action in furtherance of the exchange of such contracts of insurance; to do and perform every other thing that I could do in respect to such contracts so exchanged, including the appearance and defense in my name in actions and proceedings; and to manage and conduct the business, affairs and property of the Exchange under the supervision of the Board of Directors.*
2. *The powers hereby vested in my said attorney shall be exercised only in accord with the decisions of the Board of Directors of the Association, provided that the said attorney may deputize such person or persons as may be appointed therefor by the Board of Directors of the Association, to authenticate the policy contracts now applied for or those that I may hereafter apply for, and all papers pertaining thereto. It is understood that the Subscribers reserve unto themselves the right to govern the Association according to the decision of a majority of Subscribers present in person or by proxy at any meeting.*
3. *I adopt as a part of this agreement the Bylaws of the Exchange now or hereafter effective.*
4. *I agree that this Power of Attorney shall have application to all insurance applied for by me, including such modifications or changes in any of my insurance as may be made at my request, and the representations made by me in connection with each policy shall have the same force and effect as if contained in this instrument.*
5. *I agree that to the fullest extent now or hereafter permitted by law, no director of the Exchange shall be personally liable to the Exchange or to its Subscribers for monetary damages for any act or omission in the director's capacity as a director except liability for (i) a breach of a director's duty of loyalty to the Exchange or its Subscribers, (ii) an act or omission not in good faith or that involves intentional misconduct or a knowing violation of the law, (iii) a transaction from which a director received an improper benefit, whether or not the benefit resulted from an action taken within the scope of the director's office, (iv) an act or omission for which the liability of a director is expressly provided for by statute, or (v) an act related to an unlawful stock repurchase or payment of a dividend. Any repeal or modification of the foregoing paragraph by the Subscribers of the Exchange shall not adversely affect any right or protection of a director of the Exchange existing at the time of such repeal or modification. The effective date of the limitation of liability provided by this paragraph shall be the due date of member approval of this Paragraph 5.*
6. *I agree further that this Power of Attorney shall be and become effective on the date hereof, and shall remain in force and effect only as long as I have a contract of insurance with the Exchange. This power of attorney shall not terminate on disability of the principal. This agreement is strictly limited to the use and the purpose herein expressed and to no other purpose.*

\_\_\_\_\_  
Applicant's Name

\_\_\_\_\_  
Authorized Signature  
(As appears in Question #1)

\_\_\_\_\_  
Date







## CLAIM INFORMATION SUPPLEMENT

**Applicant's Instructions:**

1. *This information is to be completed by Applicant who has been involved in any claim or suit or who is aware of an incident which may give rise to a claim. COMPLETE ONE FOR EACH CLAIM OR INCIDENT.*
2. *If space is insufficient to answer any questions fully, use reverse side of this page or attach a separate sheet.*
3. *Answer all questions COMPLETELY.*

**(Please Type or Print)**

1. Full name of Applicant: \_\_\_\_\_
2. Full name of individual(s) of firm involved in the claim: \_\_\_\_\_
3. Full name of Claimant: \_\_\_\_\_
4. Indicate whether (*Circle One*):    **Potential Claim/Incident**      **Claim**      **In Suit**
5. Date of alleged error: \_\_\_\_\_
6. Date of Claim: \_\_\_\_\_
7. Additional defendants: \_\_\_\_\_
8. **IF CLOSED:**    Indicate whether (*Circle One*):      **Out-of-Court Settlement**      **Court Judgment**  
                                  Total Loss Paid including Deductible: \$ \_\_\_\_\_      Defense Cost Paid: \$ \_\_\_\_\_
9. **IF PENDING:**    Claimant's Settlement Demand:      \$ \_\_\_\_\_  
                                  Defendant's Offer for Settlement:      \$ \_\_\_\_\_  
                                  Insurer's Loss Reserve:      \$ \_\_\_\_\_  
                                  Deductible:      \$ \_\_\_\_\_  
                                   **Yes**     **No** Is Claim in Suit? If yes, amount asked in summons: \$ \_\_\_\_\_
10. Name of Insurer: \_\_\_\_\_
11. Description of Claim: (Provide enough information to allow evaluation and use reverse side if additional space is required.)
  - a. Alleged act, error or omission upon which Claimant bases claim: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  - b. Description of case and events, including area of practice out of which the claim arose: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  - c. Description of the type and extent of injury or damage allegedly sustained: \_\_\_\_\_  
 \_\_\_\_\_

*I understand information submitted herein becomes a part of my Professional Liability Application and is subject to the same warranty and conditions.*

Signature of Applicant: \_\_\_\_\_ Date \_\_\_\_\_





## SECURITIES SUPPLEMENT

### B. RISK MANAGEMENT PROCEDURES

1.  **Yes**  **No** Does the Applicant or any firm member conduct what is commonly referred to as a “due diligence investigation” when representing clients as to the offering or sale of securities?
2.  **Yes**  **No** During the past five (5) years has the Applicant been involved in or have knowledge of any facts that would indicate that the Applicant or any firm member may be included in an investigation or administrative action by the SEC or any state securities regulator or authority?  
  
If yes, provide details on a separate addendum.
3.  **Yes**  **No** Has the Applicant or any firm member prepared any portion of a prospectus, offering memorandum or disclosure statement (including a tax opinion) which is required by law in connection with the issuance, sale or transfer of a security?
4.  **Yes**  **No** Has the Applicant or any firm member had any involvement in the direct sale to an individual purchaser of any security for which a prospectus, offering memorandum or disclosure statement is required by law?
5.  **Yes**  **No** Has the Applicant or any firm member accepted any type of equity interest in a securities client in lieu of attorney’s fees?  
  
If yes, provide a separate addendum including the following information:
  - a. What are the circumstances that would permit the Applicant or any firm member to accept an equity interest in lieu of attorney’s fees?
  - b. What is the approval process to accept an equity interest in lieu of attorney’s fees?
6. Has the Applicant or any firm member provided professional legal services to securities clients in which any firm member or any immediate family member:
  - a.  **Yes**  **No** Serves or served as an officer, director, trustee, employee or partner of such client?
  - b.  **Yes**  **No** Owns or owned an equity interest or financial interest in such client?



## EQUITY INTEREST SUPPLEMENT

Applicant: \_\_\_\_\_

**A. Ownership/Officers or Directors**

Provide the following information for each client in which the applicant or any firm member has an equity interest or in which any firm member is an officer or director. Financial Institutions do not need to be reported on this form. (Financial institutions must be reported on the **Financial Institution Information Supplement**.)

NAME OF CLIENT OR BUSINESS VENTURE	ATTORNEY(S) WITH INTEREST	OFFICES HELD	% OF INTEREST	NATURE OF BUSINESS

**B. Risk Management Procedures**

1.  **Yes**  **No** Does the Applicant or any firm member provide the previously identified client(s) with written disclosure of potential conflicts of interest in each of these equity situations?
  
2.  **Yes**  **No** Has the Applicant or any firm member accepted any type of equity interest in lieu of attorney's fees?  
 If yes, either explain in the space provided below Question 3 or attach a separate addendum including the following information:
  - a. What are the circumstances that would permit the Applicant or any firm member to accept an equity interest in lieu of attorney's fees?
  - b. What is the approval process to accept an equity interest in lieu of attorney's fees?
  
3.  **Yes**  **No** Has the Applicant or any firm member provided any professional legal services for a client in relation to the preparation of any disclosure or offering documents for investors and/or State or Federal Regulators?  
 If yes, what procedures have been adopted to avoid an actual or alleged conflict of interest?

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Signature of Applicant: \_\_\_\_\_ Date \_\_\_\_\_



## OF COUNSEL INFORMATION SUPPLEMENT

**Applicant's Instructions:**

1. COMPLETE ONE SUPPLEMENT FOR EACH OF COUNSEL
2. If space is insufficient to answer any questions fully, use reverse side of this page or attach a separate sheet.
3. If more than one Supplement is needed, please photocopy this form.
4. Answer all questions COMPLETELY.

**(Please Type or Print)**

1. Who is the person acting "Of Counsel" to your firm? (If there is more than one person acting in such a capacity, please fill out a separate supplement for each.)

Attorney's Name

Year Attorney became "Of Counsel"

Bar Card Number

\_\_\_\_\_

2. On average, how many hours per week does the person acting "Of Counsel" work for your firm? \_\_\_\_\_

3. In the past 12 months, how many hours did the person acting "Of Counsel" bill on behalf of your firm? \_\_\_\_\_

**Answer Question #4 only if the "Of Counsel has been acting in that capacity for less than 12 months.**

4. If the person acting "Of Counsel" to your firm has been acting in that capacity for less than 12 months, how many hours do you estimate the "Of Counsel" will bill on behalf of your firm during their first year as "Of Counsel"? \_\_\_\_\_

5.  Yes  No Does the person acting "Of Counsel" to your firm also practice independently from your firm?

**If your answer to question #5 was "No," proceed to question #7.**

6. **If your answer to question #5 was "Yes," please advise:** Where does the person acting "Of Counsel" practice independently from your firm? Please provide the name and address of that firm.

\_\_\_\_\_  
 \_\_\_\_\_

7.  Yes  No Does the person acting "Of Counsel" to your firm carry any professional liability insurance?

**If your answer to question #7 was "No," proceed to question #9.**

8. **If your answer to question #7 was "Yes," please advise:**

a. With which company does the "Of Counsel" carry their own insurance? \_\_\_\_\_

b. What are the effective dates of that policy? \_\_\_\_\_

c. What are the limits of liability of that policy? \_\_\_\_\_

**Answer questions #9-11 with regard to the "Of Counsel" work on behalf of your firm:**

9.  Yes  No Does the person acting "Of Counsel" to your firm appear in court?

10.  Yes  No Does the person acting "Of Counsel" to your firm sign pleadings?

11.  Yes  No Does the person acting "Of Counsel" to your firm have direct contact with clients?

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Signature of Applicant: \_\_\_\_\_ Date \_\_\_\_\_





## INTELLECTUAL PROPERTY SUPPLEMENT

(Risk Management Procedures on Reverse)

Applicant: \_\_\_\_\_

**AREAS OF PRACTICE**

1. What percentage of the Applicant's intellectual property practice is devoted to each of the following areas? Please base your answer on the percentage of time devoted to that area:

- |  |   |
|--|---|
| <input type="checkbox"/> a. Domestic Patent Prosecution<br><input type="checkbox"/> b. Foreign Patent Prosecution<br><input type="checkbox"/> c. Intellectual Property Litigation<br><input type="checkbox"/> d. Patent Filings and Searches | <input type="checkbox"/> e. Patent Infringement<br><input type="checkbox"/> f. Trademark/Copyright Registration and Licensing<br><input type="checkbox"/> g. Entertainment and Sports<br><input type="checkbox"/> h. Other (describe) _____ |
|--|---|

*The total percentage must equal 100%.*

**INDUSTRY AREAS**

2. What percentage of the Applicant's intellectual property practice is devoted to the following industry areas? Please base your answer on the percentage of time devoted to that industry area:

- |   |   |
|---|---|
| <input type="checkbox"/> a. Biomedical/Biotechnical<br><input type="checkbox"/> b. Chemical<br><input type="checkbox"/> c. Computer Software<br><input type="checkbox"/> d. Computer Hardware<br><input type="checkbox"/> e. Electrical – Other | <input type="checkbox"/> f. Mechanical<br><input type="checkbox"/> g. Networking/Telecommunications<br><input type="checkbox"/> h. Pharmaceutical<br><input type="checkbox"/> i. Other (describe) _____ |
|---|---|

*The total percentage must equal 100%.*

**CLIENTS**

3. What percentage of the Applicant's intellectual property practice is devoted to the following client types? Please base your answer on the percentage of time devoted to that client type:

- |   |   |
|---|---|
| <input type="checkbox"/> a. Fortune 500 Companies<br><input type="checkbox"/> b. Other NYSE Companies<br><input type="checkbox"/> c. Other NASDAQ Companies | <input type="checkbox"/> d. Other Publicly-Traded Companies<br><input type="checkbox"/> e. Privately-Held Companies<br><input type="checkbox"/> f. Individual Inventors |
|---|---|

*The total percentage must equal 100%.*

4. Please list the three (3) largest (in terms of hours billed) intellectual property clients.

	<u>Name</u>	<u>Type of Business</u>	<u>Work Performed</u>
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____

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Signature of Applicant: \_\_\_\_\_ Date \_\_\_\_\_

**FIRM RISK MANAGEMENT PROCEDURES**

5. a.  **Yes**  **No** When accepting responsibility for a patent search, does the Applicant utilize an engagement letter which specifies the nature, scope and limitations of such search?
- b.  **Yes**  **No** When an engagement is completed, does the Applicant send termination letters?
- c.  **Yes**  **No** When performing a foreign patent filing, is the client made aware of deadlines and requirements for such filing, including the various payments required?
- d.  **Yes**  **No** Does the firm use multiple calendars or scheduling systems to record, monitor and comply with filing deadlines and other time limitations in connection with obtaining patents?
- e.  **Yes**  **No** When providing an opinion regarding the results of a patent search, does the firm qualify the opinion in writing by referencing the nature, scope and limitations of the search conducted?
- f.  **Yes**  **No** Has the Applicant or any firm member litigated any matters for which it also handled the underlying intellectual property matter?
- g.  **Yes**  **No** Has the Applicant or any firm member accepted any type of equity interest in a client in lieu of attorney's fees?  
 If yes, provide a separate addendum including the following information:  
 (1) What are the circumstances that would permit the Applicant or any firm member to accept an equity interest in lieu of attorney's fees?  
 (2) What is the approval process to accept an equity interest in lieu of attorney's fees?
- h. Has the Applicant or any firm member provided professional legal services to an intellectual property client in which any firm member or any immediate family member:  
 **Yes**  **No** (1) Serves or served as an officer, director, trustee, employee or partner of such client?  
 **Yes**  **No** (2) Owns or owned an equity or financial interest in such client?
- i.  **Yes**  **No** Does the Applicant utilize patent agents?  
 (1) If yes, how many? \_\_\_\_\_  
 (2) Name of Patent Agent(s)                      USPTO Patent Agent Number(s)                      Date Joined Firm?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (3) Describe how patent agents are supervised: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- j.  **Yes**  **No** Does the Applicant's conflict of interest system allow for cross-checks between both previous and existing clients with prospective new intellectual property clients?



# FINANCIAL INSTITUTION SUPPLEMENT

(Please make copies for additional financial institutions.)

**Institution:** \_\_\_\_\_ **Location:** \_\_\_\_\_

Has any firm member served as an officer or director?  
 Yes  No If yes, please give name(s) and dates: \_\_\_\_\_

Has any firm member served on a loan or investment committee?  
 Yes  No If yes, please give name(s) and dates: \_\_\_\_\_

Has any firm member had an ownership interest?  
 Yes  No If yes, please give name(s) and percent owned: \_\_\_\_\_

### Legal Representation

Please give the names of all firm members who have provided legal services and the dates or period of time over which such services were provided:  
 \_\_\_\_\_  
 \_\_\_\_\_

Please indicate the types of legal services that have been provided:

- |   |  |
|---|--|
| <input type="checkbox"/> Real Estate  | <input type="checkbox"/> General Counsel                 |
| ( ) Original Loan Documentation   | <input type="checkbox"/> Litigation                      |
| [ ] Commercial  | <input type="checkbox"/> Collections                     |
| [ ] Residential   | <input type="checkbox"/> Bankruptcy                      |
| ( ) Workouts  | <input type="checkbox"/> Regulatory Compliance           |
| ( ) Transactions involving the sale or transfer of delinquent or non-performing loans, loans on a watch list, or loans for acquisition, development and construction to another financial institution | <input type="checkbox"/> Other Legal Services (describe) |
| ( ) Other Real Estate (describe)  | _____  |
| _____   | _____  |
| _____   | _____  |
| _____   | _____  |

**Institution:** \_\_\_\_\_ **Location:** \_\_\_\_\_

Has any firm member served as an officer or director?  
 Yes  No If yes, please give name(s) and dates: \_\_\_\_\_

Has any firm member served on a loan or investment committee?  
 Yes  No If yes, please give name(s) and dates: \_\_\_\_\_

Has any firm member had an ownership interest?  
 Yes  No If yes, please give name(s) and percent owned: \_\_\_\_\_

### Legal Representation

Please give the names of all firm members who have provided legal services and the dates or period of time over which such services were provided:  
 \_\_\_\_\_  
 \_\_\_\_\_

Please indicate the types of legal services that have been provided:

- |   |  |
|---|--|
| <input type="checkbox"/> Real Estate  | <input type="checkbox"/> General Counsel                 |
| ( ) Original Loan Documentation   | <input type="checkbox"/> Litigation                      |
| [ ] Commercial  | <input type="checkbox"/> Collections                     |
| [ ] Residential   | <input type="checkbox"/> Bankruptcy                      |
| ( ) Workouts  | <input type="checkbox"/> Regulatory Compliance           |
| ( ) Transactions involving the sale or transfer of delinquent Or non-performing loans, loans on a watch list, or loans for acquisition, development and construction to another financial institution | <input type="checkbox"/> Other Legal Services (describe) |
| ( ) Other Real Estate (describe)  | _____  |
| _____   | _____  |
| _____   | _____  |
| _____   | _____  |

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Signature of Applicant: \_\_\_\_\_ Date \_\_\_\_\_