

## **COMBINATION AREA OF PRACTICE QUESTIONNAIRE**

Please mark "N/A" if you do not have billing from the following Area of Practice. Otherwise, please complete the appropriate section(s).

Bankruptcy	_____
Collections	_____
Estate/Trust Work	_____
Financial Institution Work (Banking)	_____
Plaintiff Litigation (BI or PD)	_____
Real Estate	_____
Tax Work	_____

**SIGNATURE REQUIRED ON LAST PAGE OF QUESTIONNAIRE**

**BANKRUPTCY QUESTIONNAIRE**

1. Please provide the percentage of bankruptcy cases in the following categories:
  - For Debtors:            %
  - For Creditors:        %
  - As Trustee:            %
  - Other:                 %
  
2. Are you and your attorneys who practice in this area aware of and in full compliance with the provisions of the 2005 Bankruptcy Report Act? Yes    No
  
3. Do you have written due diligence procedures for verifying the truthfulness and accuracy of the debtor's bankruptcy schedule? Yes    No
  
4. Do you have written due diligence procedures for certification of the debtor's ability to pay? Yes    No
  
5. Do you provide a uniform disclosure statement to all debtor clients regarding the duties of the debtor in bankruptcy? Yes    No
  - a. If yes, is it maintained for at least 2 years? Yes    No
  
6. If you represent debtor's, are all required disclosures, including statements about acting as a debt relief agency, prominently displayed in all advertising and other mass communication? Yes    No
  
7. Do you, your attorneys or firm have any contracts, affiliations, or referral arrangements with third party entities or other attorneys that offer any pre-bankruptcy services in the area of debt settlement, debt resolution, debt consolidation, or debt relief? Yes    No
  
8. Please provide the total number of bankruptcy clients you currently have.

Please complete the following for each attorney in your firms handling bankruptcy matters:

	<u>Attorney Name</u>	<u>Years of Experience</u>	<u>%of time devoted to bankruptcy</u>
1 .			
2 .			
3 .			
4 .			
5 .			

## **COLLECTION WORK QUESTIONNAIRE**

1. During the past three (3) years:
  - a. How many lawyers have done collection work?
  - b. Approximately how many individual consumer debtor's have been contacted by phone, letter or otherwise by anyone employed by or in any way affiliated with the applicant firm?
  
2. During the past three (3) years have you allowed any collector, collection agency, or any other party to use your law firm name or any attorneys names in collection-related matters? Yes    No  
If yes, please explain:
  
3. During the past three (3) years, have you provided any advice or opinions to any party relative to implementation of any debt collection procedure, collection letter or other collection activity which would claim to be in compliance with the Federal Fair Debt Collection Practices Act or similar state or federal regulation? Yes    No  
If yes, please explain:
  
4. What steps do you take to assure that all collection letters the firm sends are in compliance with the Federal Fair Debt Collection Practices Act? Please explain:
  
5. What steps do you take to assure that all attorneys in the firm remain current with the changes in the Federal Fair Debt Collection Practices Act? Please explain:
  
6. Within the past three (3) years, has any present or past attorney had any ownership interest in any kind of collection agency? Yes    No
  
7. Has the firm executed any indemnity agreements with clients (for which you are doing collections work) which would indemnify or hold the client harmless for any violation of the Federal Fair Debt Collection Practices Act provisions related to the collections work? Yes    No
  
8. Within the past three (3) years, has the firm or any present or past attorney been a party to any claims or suits under the Federal Fair Debt Practices Collections Act? Yes    No

**ESTATE/TRUST WORK QUESTIONNAIRE**

1. List the top five largest Estates/Trusts to which the firm provided legal services in the previous 12 months:

<b>Name</b>	<b>Attorney</b>	<b>Approximate Value</b>
1.		
2.		
3.		
4.		
5.		

a. What services are provided for the client(s)?

b. Does work performed include business formation, management or other business transactions?  
Yes    No

c. Does any attorney of the firm have check signing or investment authority for a client? Yes    No

2. Does any single Estate/Trust client account for 10% of an attorney's annual billings? Yes    No  
 If yes, provide name and percent of revenue:

3. Does your estate practice include a file review by a second attorney not involved in drafting on all new wills? Yes    No

4. Does any attorney currently serve as Executor/Personal Representative of an Estate or Trustee of a trust (not including family related matters)? Yes    No

If yes, provide a list by attorney with: Name of Estate/Trust, approximate value and description of services provided.

**Attorney:**

<b>Name of Estate / Trust</b>	<b>Approximate Value</b>	<b>Description of Services</b>
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## FINANCIAL INSTITUTION QUESTIONNAIRE

1. With regard to any financial institution clients(s) within the past six (6) years, has any member or former member of the firm:
- a. Performed services other than bankruptcy, collection, loan documentation/workout, real estate closings / foreclosures, title work/conveyances or trust work? Yes    No
  
  - b. Served as general counsel, CEO, chairman, president, officer director or member of any internal committee? Yes    No
  - c. Had any equity interest or lean commitments? Yes    No
  
  - d. Had a bank client declared insolvent or operated under regulatory direction or agreement? Yes    No

**If yes to any part of question 1 above, please answer questions 2 through 4.**

2. a. Name of Financial Institution:  
b. Location (City, State):  
c. Nature and capacity of services applicant firm provided (please be specific as possible):  
d. Name of firm member(s) or former member(s) who provides or provided above professional services:  
e. Dates of services from \_\_\_\_\_ to \_\_\_\_\_.  
f. Still a client? Yes    No  
g. Date of insolvency, take-over or merger, if applicable:

3. With regard to the above institution, has any member of former member of the Firm:  
a. Been a member of any internal committee(s) such as but not limited to the executive, loan policy, audit or investment advisory committee(s)? Yes    No

**If yes, please identify the type of committee(s) and dates participation:**

- b. Acted as director or officer? Yes    No
- c. Acted as general counsel? Yes    No
- d. Has loan commitments? Yes    No

**If yes, please describe type and amount:**

- e. Held stock or other financial interest? Yes    No

**If yes, what is the dollar value of such interest \$ \_\_\_\_\_, the percentage of such interest \_\_\_\_\_%, and is the institution: \_\_\_\_\_ publicly owned/traded or \_\_\_\_\_ privately held?**

- f. Participated in the preparation of a response to regulatory examination reports? Yes    No
- g. Participated or assisted in the rendering of advice on regulatory issues? Yes    No

5. Has any regulatory authority filed a lawsuit against the financial institution or the insured (including any any director or officer of the above financial institution?)

**If yes, please provide complete details:**

**PLAINTIFF QUESTIONNAIRE**

Please answer all questions in relation to your plaintiff practice only

1. Have you advertised during the past 12 months through any of the following:
- |    |              |     |    |
|----|--------------|-----|----|
| a. | Television   | Yes | No |
| b. | Radio        | Yes | No |
| c. | Newspaper    | Yes | No |
| d. | Yellow Pages | Yes | No |
- If **Yes**, please attach copies of this advertising or provide an explanation

2. Total number of plaintiff cases during the past 12 months: \_\_\_\_\_
3. Average number of personal injury cases each attorney handles per year: \_\_\_\_\_
4. Percentage of cases (must equal 100%): Settle before trial? \_\_\_\_\_% Cases tried to conclusion? \_\_\_\_\_%
5. Percentage of cases referred to you by other law firms? \_\_\_\_\_%
6. Do you use written referral agreements in all cases which are referred to you? Yes No
7. Do you use written referral agreements in all cases which are referred out? Yes No
8. Do you obtain certificates of insurance in all cases which are referred out? Yes No
9. Average dollar value of all plaintiff cases are: Less than \$25,000 \$25,001 - \$100,000  
\$100,001 - \$500,000 \$500,001 - \$1,000,000 Other:

10. What percentage of your plaintiff cases are:
- |                                        |                                  |                             |
|----------------------------------------|----------------------------------|-----------------------------|
| % _____ <b>Class Action/Mass Tort*</b> | % _____ Product Liability        | % _____ Legal Malpractice   |
| % _____ Automobile Accident            | % _____ Slip and Fall            | % _____ Medical Malpractice |
| % _____ Workers Comp                   | % _____ Other (Please describe): |                             |

11. With respect to your answer in Question 10, please state the maximum dollar value of any one case:
- |                                          |                            |                              |
|------------------------------------------|----------------------------|------------------------------|
| \$ _____ <b>Class Action/Mass Tort *</b> | \$ _____ Product Liability | \$ _____ Legal Malpractice   |
| \$ _____ Automobile Accident             | \$ _____ Slip and Fall     | \$ _____ Medical Malpractice |
| \$ _____ Workers Comp                    | \$ _____ Other             |                              |

12. Percentage of recovery your firm takes as fees: \_\_\_\_\_%
13. Describe the firm's procedure for tracking the Statute of Limitation on each personal injury case:
14. Name and position of person(s) designated to track the Statue of Limitation on each personal injury case:

\* Please complete separate **Class Action / Mass Tort** supplement.

**REAL ESTATE QUESTIONNAIRE**

**REAL ESTATE PRACTICE - GENERAL**

1. Did any one commercial real estate client generate 10% or more of firm billings in the last 12 months? Yes          No
  
2. Have you represented Financial Institutions, Mortgage Brokers or Bankers or any other lending institutions for Real Estate transactions in the last 10 years? Yes          No  
 If Yes, Please list names of Institutions  
  
 Have any of these transactions involved Sub-Prime, or Alt-A mortgages?  
 If Yes, Please list names of Institutions. Yes          No
  
3. At any time during the last 10 years, have you formed, managed or organized any group investments (syndications, general partnerships, limited partnerships, REIT's, or corporations) for the purpose of investing in real property? Yes          No  
 a) If yes – have the annual billings from this work ever exceeded 15% of total annual billings?  
Yes          No
  
4. Does the firm's real estate practice include assisting in the securing of financing and/or loans for your clients? Yes          No
  
5. At any time during the last 10 years, has the firm, or any attorney for whom coverage is sought, solicited or sought out investors in real estate mortgages or similar real estate based investments? Yes          No

**ALLOCATION OF REAL ESTATE BILLINGS BY CATEGORY**

			<b><u>Current Year</u></b>	<b><u>Previous Year</u></b>
a.	Purchase and Sale	Residential	_____%	_____%
		Commercial	_____%	_____%

Transactions on behalf of buyers or sellers, including negotiation and drafting of purchase agreements, option agreements, deeds and other closing documents, representation at closing and related activities. What is the approximate number of transactions handled in the last 12 months?

Residential \_\_\_\_\_          Commercial \_\_\_\_\_



What was the largest value Real Estate Transaction in the last 12 months?

Residential \$ \_\_\_\_\_

Commercial \$ \_\_\_\_\_

b. Land Use/Development \_\_\_\_\_% \_\_\_\_\_%

Representation of landowners, developers and others in zoning, subdivision, wetlands and other development and land use processes.

c. Mortgages and Deeds \_\_\_\_\_% \_\_\_\_\_%

Representation of lenders or borrowers in financing, refinancing or other real estate lending activities including loan documentation.

d. Foreclosures \_\_\_\_\_% \_\_\_\_\_%

Foreclosure of mortgages, or trustee's sales under deeds of trust and other exercises of remedies in the event of default

e. Landlord/Tenant \_\_\_\_\_% \_\_\_\_\_%

Representation of landlords or tenants in drafting or negotiating lease terms including litigation and eviction.

e. Condominiums, Cooperatives and Town House \_\_\_\_\_% \_\_\_\_\_%

Representation of developers, associations, cooperative boards, or individuals in issues arising out of common ownership and common rights of property ownership.

f. Property Valuation/Real Estate Tax Abatement \_\_\_\_\_% \_\_\_\_\_%

Representation of property owners before county/local agencies and courts in proceedings to contest property valuations or assessed value of real estate.

g. Other (Please describe): \_\_\_\_\_% \_\_\_\_\_%

Total must equal 100% **100%** **100%**

**TITLE WORK**

Indicate the total number of title opinions issued over the past 2 years:

Commercial: # \_\_\_\_\_ Residential: # \_\_\_\_\_

1. Please indicate the total number of title searches completed over the past 2 years by:

a. Attorneys in your firm: \_\_\_\_\_ c. Non-attorneys but employees of your firm: \_\_\_\_\_  
 b. Attorneys not in your firm: \_\_\_\_\_ d. Non-attorney subcontractors: \_\_\_\_\_

- If numbers are indicated in c. or d., do you obtain certificate(s) of insurance from all of your subcontracted sources of title searches? Yes No
2. How many Real Estate Title Insurance policies has the firm issued in the last 12 months? # \_\_\_\_\_
3. Do you make use of engagement letter when doing title opinions or title searches, specifying who your clients is and what services you are performing for that client? Yes No

### ENVIRONMENTAL REAL ESTATE

1. Does the Applicant's legal services in connection with a property transfer or leasing transaction include documented procedures to review and address issues such as:
- a. Whether the type of business in question creates or in the past may have created environmental issues and concerns? Yes No
  - b. Whether any real or personal property owned, or leased now or in the past, or property to be procured is or is likely to be contaminated by hazardous matters (e.g., asbestos, lead, pcbs, etc.)? Yes No
  - c. Whether any specific site locations owned or leased, operated now or in the past, or land or property to be acquired are located in, or contiguous to ecologically sensitive areas (such as wetlands, floodplains, aquifers, or conservations areas, etc.)? Yes No
  - d. Whether any corporate entity connected to the client including all past and present subsidiaries, divisions and spin-offs has ever been fined, penalized, cited, or sued for violating any federal, state, or local environmental law or regulations? Yes No
2. Do you require?
- a. Research and analysis of potential real environmental risks before determination of price and other central terms and conditions? Yes No
  - b. A thorough review with the client of the economic impacts of known environmental implications and potential advantages of further verification or qualifications of environmental risks, in property transfer or leasing transactions with potential material environmental exposure? Yes No
  - c. **If "NO" to any of the above, are all clients advised in writing to see independent professional evaluations of potential environmental exposures?** Yes No

**ESCROW**

- |    |    |                                                                                                        |     |    |
|----|----|--------------------------------------------------------------------------------------------------------|-----|----|
| 1. | a. | Does the firm hold client funds in escrow?                                                             | Yes | No |
|    | b. | If yes to 1a, are wire transfer instructions always verified by phone contact with the client or bank? | Yes | No |
|    | c. | If yes to 1a, are wire transfer instructions always sent by encrypted email or fax?                    | Yes | No |
|    | d. | If yes to 1a, does the firm have a crime policy or bond?                                               | Yes | No |

**If yes to 1a, b, c or d; please provide a description on the firm's letterhead.**

**TAXATION AOP QUESTIONNAIRE**

What percentage of billings will be?

- |                         |   |
|-------------------------|---|
| 1 – Tax Preparation     | % |
| 2 – Tax Representations | % |
| 3 – Tax Opinions        | % |
| 4 – Tax Certiorari      | % |
| 5 – Litigation          | % |

What percentage of representation is for?

- |                     |   |
|---------------------|---|
| 1 – Individuals     | % |
| 2 – For Profits     | % |
| 3 – Not for Profits | % |
| 4 – Estates/Trusts  | % |
| 5 – Public Entities | % |

What would the average dollar value of tax liability be? \$ \_\_\_\_\_

Please list any attorneys that are also CPA's: \_\_\_\_\_

Does the firm also carry accountants E&O coverage? If so, what is the term and limits.

## Fraud Prevention – General Warning

**NOTICE TO ARKANSAS APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment for a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**NOTICE TO CALIFORNIA APPLICANTS:** Pursuant to California Insurance Law, Sec. 1623, this application for insurance is being submitted by an insurance broker who is acting on behalf of an insured.

**NOTICE TO COLORADO APPLICANTS:** It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policy holder or claimant for the purpose of defrauding or attempting to defraud the policy holder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**NOTICE TO D.C. APPLICANTS: WARNING:** It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

**NOTICE TO FLORIDA APPLICANTS:** Any person who knowingly and with intent to injure, defraud, or deceive any insurance company files a statement of claim or an application containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

**NOTICE TO HAWAII APPLICANTS:** For your protection, Hawaii law requires you to be informed that presenting a fraudulent claim for payment of a loss or benefit is a crime punishable by fines or imprisonment or both.

**NOTICE TO KENTUCKY APPLICANTS:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime.

**NOTICE TO LOUISIANA APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**NOTICE TO MAINE APPLICANTS:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for purposes of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.

**NOTICE TO MARYLAND APPLICANTS:** 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 may be guilty of insurance fraud.

**NOTICE TO MINNESOTA APPLICANTS:** A person who submits an application or files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime.

**NOTICE TO NEW JERSEY APPLICANTS:** Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**NOTICE TO NEW MEXICO APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

**NOTICE TO NEW YORK APPLICANTS:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime, and shall be also subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

**NOTICE TO OHIO APPLICANTS:** 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.

**NOTICE TO OKLAHOMA APPLICANTS: WARNING:** Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

**NOTICE TO OREGON APPLICANTS:** Any person who makes an intentional misstatement that is material to the risk may be found guilty of insurance fraud by a court of law.

**NOTICE TO PENNSYLVANIA APPLICANTS:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

**NOTICE TO TENNESSEE APPLICANTS:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

**NOTICE TO TEXAS APPLICANTS:** Any person who makes an intentional misstatement that is material to the risk may be found guilty of insurance fraud by a court of law.

**NOTICE TO VIRGINIA APPLICANTS:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.

**NOTICE TO ALL OTHER STATE APPLICANTS:** Any person who knowingly includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**Important Reminder**

The coverage for which you are applying is written on a CLAIMS-MADE basis. Only claims first made against you and reported to the Company during the policy period are covered, subject to the policy provisions. The limits of liability stated in the policy are reduced by defense expenses. Defense expenses may also be applied to the deductible, if any. If you have any questions about the coverage, please discuss them with your agent.

**Representation and Acknowledgement of Firm's Continuing Duty to Inform**

The undersigned is authorized by the firm to sign this application and represents and acknowledges that all information provided by the firm including the application, submits, its supplements, attachments, and answers to any questions our underwriter asks:

will be relied upon the Company in determining whether to insure the firm and at what rate to insure it;  
are true, correct, accurate, and complete;  
and will be considered a part of any ensuing insurance contract.

Furthermore, the undersigned understands and agrees that the firm has a continuing duty through policy inception and throughout the life of any ensuing insurance contract to update this application, its supplements, attachments, and answers to any questions our underwriter asks.

**THE APPLICANT REPRESENTS THAT THE ABOVE STATEMENTS AND FACTS ARE TRUE AND THAT NO MATERIAL FACTS HAVE BEEN SUPPRESSED OR MISSTATED.**

**COMPLETION OF THIS FORM DOES NOT BIND COVERAGE. APPLICANT'S ACCEPTANCE OF THE COMPANY'S QUOTATION IS REQUIRED PRIOR TO BINDING COVERAGE AND POLICY ISSUANCE.**

**ALL WRITTEN STATEMENTS AND MATERIALS FURNISHED TO THE COMPANY IN CONJUNCTION WITH THIS APPLICATION ARE HEREBY INCORPORATED BY REFERENCE INTO THIS APPLICATION AND MADE A PART HEREOF.**

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

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

Agent/Broker Name: \_\_\_\_\_