

**Lawyers Professional Liability Insurance**

**CLAIMS MADE WARNING FOR APPLICATION: This Proposal Form is for a Claims Made and Reported Policy, relating to claims made against the Insureds during the Policy Period or any Extended Reporting Period that may apply.**

Name of Applicant Firm \_\_\_\_\_

**APPLICANT FIRM'S INSTRUCTIONS:**

**IF SPACE IS INSUFFICIENT TO ANSWER ANY QUESTION FULLY, PROVIDE SEPARATE ATTACHMENTS.**

**Real Estate Information**

1. Real Estate Experience

<u>Name of Each Attorney Who Performs Real Estate Work</u>	<u>Number of Years Real Estate Experience</u>	<u>Percentage of Time Devoted to Specialization</u>	
_____	_____	_____	%
_____	_____	_____	%
_____	_____	_____	%

2. Of the percentage of Real Estate work listed in the Area of Practice section of the Proposal Form, what portion is derived from the following:

- (a) Purchase and Sale – Residential \_\_\_\_\_ %
- (b) Purchase and Sale – Commercial \_\_\_\_\_ %
- (c) Land Use/Development \_\_\_\_\_ %
- (d) Financing/Loan Workouts \_\_\_\_\_ %
- (e) Mortgages/Foreclosures – Residential \_\_\_\_\_ %
- (f) Mortgages/Foreclosures – Commercial \_\_\_\_\_ %
- (g) Landlord/Tenant \_\_\_\_\_ %
- (h) Construction/Mechanics' Liens \_\_\_\_\_ %
- (i) Tax Abatement \_\_\_\_\_ %
- (j) Condominiums/Cooperatives/Town Homes \_\_\_\_\_ %
- (k) Other (attach separate narrative) \_\_\_\_\_ %

**THIS TOTAL MUST MATCH THE PERCENTAGE OF REAL PROPERTY LISTED IN THE AREA OF PRACTICE SECTION OF THE PROPOSAL FORM**      **TOTAL:** \_\_\_\_\_ %

3. Does the Applicant Firm undertake any aspect of financial or valuation analysis of transactions for clients (e.g., tax ramification or appraisal)?  Yes  No

4. Does the Applicant Firm undertake responsibility for the preparation or review of closing calculations (e.g., preparation of settlement statements or determination of prorations)?  Yes  No

5. Indicate whether the Applicant Firm rendered written opinions to clients on the following:
- (a) Land use, zoning, and real property regulatory matters  Yes  No
  - (b) Securitization of loans  Yes  No
  - (c) Compliance with laws  Yes  No
  - (d) Lien validity, priority, and perfection (e.g., priority of security interests in personal property and deed of trust liens on real property)  Yes  No
  - (e) Possession of required permits and licenses  Yes  No
  - (f) Regulatory matters (e.g., Interstate and Land Sale Act)  Yes  No
  - (g) Bankruptcy matters  Yes  No
  - (h) Foreign transactions  Yes  No
  - (i) Tax matters  Yes  No
  - (j) Environmental matters  Yes  No

6. Indicate whether the Applicant Firm has provided legal services in connection with any property transfer in which the Applicant Firm also performed the following (also indicate the percentage of commercial or residential):

	<input type="checkbox"/> Yes <input type="checkbox"/> No	<u>Commercial</u>	<u>Residential</u>
(a) Abstracting services	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ %	_____ %
(b) Title opinion	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ %	_____ %
(c) Issuance of title policy	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ %	_____ %
(d) Escrow services	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ %	_____ %
(e) UCC search	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ %	_____ %

**CAROLINA CASUALTY INSURANCE COMPANY**

1. If "Yes" to any part of Question 6. above, what percentage of the applicant's receipts come from title policies issued to properties on which the applicant also performed the abstracting services or title opinion?  
 Current Year: \_\_\_\_\_ % Previous 12 months: \_\_\_\_\_ %
2. If "Yes" to any part of Question 6. above, state the name of the Title Insurance Company or Companies represented and the approximate premium volume placed with each: (Provide separate attachment if necessary.)

	<u>Title Insurance Company</u>	<u>Approximate Premium Volume</u>
<u>Current Year:</u>	_____	\$ _____
	_____	\$ _____
<u>Previous 12 months:</u>	_____	\$ _____
	_____	\$ _____

7. Does the Applicant Firm have a procedure requiring that at least one lawyer, who is not working on the transaction question, review and approve all legal descriptions and commitments in closing documents, including title?  Yes  No  
 If "Yes", is this in writing?  Yes  No
8. Does the Applicant Firm have a procedure requiring the preservation of written records of its lawyers in connection with directions received from clients and client acknowledgment of actions taken?  
 (a) Directions received  Yes  No  
 (b) Client acknowledgment  Yes  No
9. Does the Applicant Firm have a policy which prohibits any member of the firm from performing the title abstracting services and representing any party in the same real estate transaction?  
 If "Yes", is this in writing?  Yes  No
10. Does the Applicant Firm have a policy which requires the recommendation of:  
 (a) Attendance at all client closings?  Yes  No  
 If "Yes", is this in writing?  Yes  No  
 (b) Title insurance for all closing property transfers?  Yes  No  
 If "Yes", is this in writing?  Yes  No  
 (c) Thorough review of title policy exceptions with client?  Yes  No  
 If "Yes", is this in writing?  Yes  No
11. Does the Applicant Firm require formal internal training sessions on the firm policies and procedures for new lawyers who will become involved in its real estate practice?  Yes  No
12. Do the Applicant Firm's legal services, in connection with property transfer or leasing transactions, include a procedure to evaluate such things as:  
 (a) Whether the type of business in question creates, or may in the past have created, environmental problems?  Yes  No  
 If "Yes", is this in writing?  Yes  No  
 (b) Whether any real or personal property owned or leased, now or in the past, or property to be acquired, is likely to be contaminated by hazardous substances (e.g., asbestos, lead or PCBs)?  Yes  No  
 If "Yes", is this in writing?  Yes  No  
 (c) Whether any specific site locations owned or leased, now or in the past, or property to be acquired, are located in or adjacent to, ecologically sensitive areas (e.g., wetlands, flood plains, aquifers, or conservation areas, etc.)?  Yes  No  
 If "Yes", is this in writing?  Yes  No  
 (d) Whether any entity connected to the client, including all past and present parent subsidiaries, divisions or spin-offs has ever been fined, penalized, cited, or sued for violating any federal, state, or local environmental law or regulation?  Yes  No  
 If "Yes", is this in writing?  Yes  No
13. Does the Applicant Firm have a procedure which requires the investigation of potential, material environmental risks before resolution of price and other central terms and conditions?  
 If "Yes", is this in writing?  Yes  No
14. Does the Applicant Firm have a procedure which requires its attorneys to perform a thorough review with the client, of the economic impact of known environmental considerations and potential benefits of further identification or quantification of environmental risks in property transfer or leasing transactions with potential, material environmental exposure?  
 If "Yes", is this in writing?  Yes  No
15. Does the Applicant Firm have procedures which address the conduct of employees relative to the handling of material, confidential information concerning environmental audits or investigation of transaction related parties?  
 If "Yes", is this in writing?  Yes  No

**CAROLINA CASUALTY INSURANCE COMPANY**

- 16. Does the Applicant Firm have a procedure requiring the preservation of the written records of the firm in connection with any documentation concerning disclosure of site contamination to potential buyers or lessees?  Yes  No  
If "Yes", is this in writing?  Yes  No
- 17. Does the Applicant Firm have a procedure requiring the preservation of the written records of the firm, in connection with documentation of investigation of sites, for buyers or lessees to discover environmental damage?  Yes  No  
If "Yes", is this in writing?  Yes  No
- 18. Does the Applicant Firm have a procedure requiring its real estate lawyers to participate in in-house seminars on current environmental topics and developments and/or to attend continuing legal education seminars on current environmental developments?  Yes  No  
If "Yes", is this in writing?  Yes  No
- 19. Does the Applicant Firm have a written procedure which addresses the firm's referral of environmental consultants to the firm's clients?  Yes  No
  - (a) If "Yes", does the procedure require the recommendation of at least two consultants so as to require the client to choose one?  Yes  No
  - (b) If "Yes", does the procedure require the general preservation of written communication with the client verifying the client's responsibility for both the engagement decision and any resultant risks?  Yes  No

**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 NEW MEXICO, 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 APPLICANTS OF KENTUCKY: 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 APPLICANTS OF MINNESOTA, NEW JERSEY, OHIO, AND OKLAHOMA: ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUDS OR DECEIVES ANY INSURER OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING INFORMATION CONCERNING ANY FACT MATERIAL THERETO, IS GUILTY OF A FELONY AND IS SUBJECT TO CRIMINAL AND CIVIL PENALTIES.**

**NOTICE TO MAINE, MASSACHUSETTS, TENNESSEE, VIRGINIA, AND WASHINGTON 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 APPLICANTS OF FLORIDA: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER 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 ARKANSAS, DISTRICT OF COLUMBIA, LOUISIANA, MARYLAND, AND RHODE ISLAND 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 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 ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE STATED VALUE OF THE CLAIM FOR EACH SUCH VIOLATION.**

**Signature Required**

I understand that the information submitted herein becomes a part of the Applicant Firm's Lawyers Professional Liability Insurance Proposal Form and is subject to the same representations and conditions.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Partner, Owner, Officer or Principal (Signature)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Partner, Owner, Officer or Principal (Print Name)

Please submit this Proposal Form including appropriate documentation to:

Monitor Liability Managers, LLC, 2850 West Golf Road, Suite 800, Rolling Meadows, IL 60008-4039