

PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY
INSTRUCTIONS FOR COMPLETING A STATEMENT OF CLAIM

IMPORTANT - Please read these Instructions prior to completing the Statement of Claim form.

Every question in the Statement of Claim must be completed, using separate sheets of paper if the space provided is insufficient. **An incomplete claim form will be returned.**

Pa. Rules of Disciplinary Enforcement 501, et seq. govern the operation of the Pennsylvania Lawyers Fund for Client Security. The Rules are available on the Fund's website, www.palawfund.com. Briefly:

- a. By Order of the Supreme Court of Pennsylvania, financial resources are provided to the Fund through contributions of the members of the Bar of the Commonwealth of Pennsylvania. No tax dollars are received by the Pennsylvania Lawyers Fund for Client Security.
- b. A claim must be based upon an attorney-client relationship or a fiduciary relationship customary to the practice of law, such as personal representative, guardian, or trustee.
- c. Reimbursable losses are those in the nature of a conversion of client funds. The Board may not consider claims based upon alleged malpractice, negligence, or ineffective representation.
- d. The maximum amount payable to any one Claimant shall be \$100,000. Interest will not be paid on a reimbursable loss, and damages resulting from the dishonest conduct may not be considered or paid.
- e. The following are not eligible to receive an award from the Pennsylvania Lawyers Fund for Client Security (the "Fund"):
 1. Spouse or other close relative, partner, associate, employer, or employee of the attorney or a business entity controlled by any of the foregoing;
 2. An insurer, surety or bonding agency or company, or any entity controlled by any of the foregoing;
 3. Any government unit;
 4. Any financial institution or other business organization having twenty or more employees; or
 5. A loss arising from a personal or business investment, not arising in the course of an attorney-client relationship.
- f. The attorney shall be given notice of the filing of the claim and will be provided with an opportunity to submit a statement with respect to the alleged conduct, which response will be shared with the Claimant.
- g. A condition to filing a Statement of Claim is to also file a corresponding disciplinary complaint, and to fully cooperate with the Pennsylvania Lawyers Fund for Client Security, the Disciplinary Board, and any authorities in connection with the investigations and prosecution of the alleged dishonest conduct. **The Pennsylvania Lawyers Fund for Client Security and the Disciplinary Board are two separate organizations.** A Claimant may receive requests for information/documentation from both organizations. The information/documentation should be provided directly to the requesting organization. The attorney need not have been disciplined prior to the filing of the claim or the payment of an award. **If the attorney is deceased at the time of the filing of the Statement of Claim, no corresponding disciplinary complaint is required.**
- h. No lawyer shall accept any payment for assistance with the preparation and filing of a claim with the Pennsylvania Lawyers Fund for Client Security, unless such fee has been approved by the Fund prior to payment of the fee.
- i. Claims filed with the Pennsylvania Lawyers Fund for Client Security are confidential, unless and until an award is approved by the Board. A Claimant's name will never be public until the Claimant grants written permission.

Filing of Claims:

- a. Claims must be filed in writing on the form provided, shall set forth sufficient facts and provide such documentation as to establish eligibility, and shall be submitted to the Executive Director.
- b. Additional information and/or documentation may be requested. The Fund's Board may hold such conferences or hearings as the Board may determine is necessary.
- c. Claims are reviewed by the Board for disposition in the order in which they are received.
- d. Awards approved by the Board shall not be paid until the Claimant has executed such instruments, taken such actions, or entered into such agreements as the Board shall require as a condition to payment.