

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 "Fund"). 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 Fund.
- 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 \$150,000. 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 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 Fund, the Disciplinary Board, and any authorities in connection with the investigations and prosecution of the alleged dishonest conduct. **The Fund 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 Fund, unless such fee has been approved by the Fund prior to payment of the fee.
- i. Claims filed with the Fund are confidential, unless and until an award is approved by the Board. A Claimant's name will never be public unless 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.

SUPREME COURT OF PENNSYLVANIA
PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY
P.O. BOX 62585, HARRISBURG, PA 17106-2585
overnight or messenger delivery use only:
601 Commonwealth Ave., Suite 5400, Harrisburg, PA 17120-0901
(717) 231-9510 or (800) 962-4618
Fax: (717) 231-9511
Email: admin@palawfund.com
Web: www.palawfund.com

STATEMENT OF CLAIM

Please read the Instructions prior to completing the claim form.

Please print and complete in ink.

CLAIMANT/CLIENT

Name: _____
(First) (Middle Initial) (Last)

Street Address: _____

City/State: _____ Zip Code _____

Telephone: Home: (____) _____ Other: (____) _____

Email: _____

Age: _____ Marital Status _____ Gender _____ Occupation _____

CO-CLAIMANT (or person who paid for legal services, if different from Claimant)

Name: _____
(First) (Middle Initial) (Last)

Street Address: _____

City/State: _____ Zip Code _____

Telephone: Home: (____) _____ Other: (____) _____

Email: _____

Age: _____ Marital Status _____ Gender _____ Occupation _____

ATTORNEY INFORMATION *(Do not name a law firm or more than one attorney.)*

Name: _____
(First) (Middle Initial) (Last)

Street Address: _____

City/State: _____ Zip Code _____

Telephone: (____) _____ Email _____

CLAIM INFORMATION *(All questions must be answered. Incomplete claim forms will be returned.)*

1. When did you hire this attorney: Month: _____ Day _____ Year _____

2. What legal services was the attorney hired to provide and what services were provided?

3. How many meetings, telephone calls and/or emails/text messages did you have with the attorney?
Provide copies of any letters or other written communications exchanged with the attorney.

Meetings _____ Calls _____ Other (emails/text messages) _____

4. Does your loss involve:

A. a legal fee(s) paid to the attorney? Yes _____ No _____

If yes, provide a copy of the fee agreement or other communication discussing the fee.

B. a personal injury settlement or other settlement received by the attorney on your behalf?

Yes _____ No _____

If yes, provide a copy of all documents relating to the settlement, such as letters discussing the settlement, Release, settlement check, etc. If the settlement was the result of litigation, provide a copy of the Complaint, Answer, and any other relevant pleadings in the litigation. If such documents are not available, provide the name of the defendant and the court where the litigation was filed.

4. (con't)

C. an estate or trust? Yes _____ No _____

If yes, provide a copy of the relevant estate documents, such as the Will, Short Certificate, inheritance tax return, etc., or trust document.

5. What is the amount of your loss? _____

Provide copies of canceled checks, credit card statements, or other documentation to support the amount received by the attorney to support the claimed loss. If you do not have documentation, please explain why.

6. When did the loss occur? _____

7. When and how did you learn of your loss? Month _____ Day _____ Year _____

If the date is more than two years prior to the filing of this claim, also provide information for the reason the claim was not filed sooner.

8. Have you hired, or has the court appointed, a new attorney to represent you in the underlying matter? *If yes, provide the new attorney's name and contact information.*

Name _____

Address _____

City _____ State _____ Zip Code _____

Phone _____

9. Have you filed a claim with any other state's client protection fund? Yes _____ No _____

If yes, provide the name of the client protection fund, the date filed, the claim/file number, and the status of that claim.

10. Have you taken any action to recover the loss directly from the attorney or any other source?
Yes _____ No _____
If yes, please explain.

11. Prior to the filing of this claim, have you filed a complaint with the Disciplinary Board of the Supreme Court of Pennsylvania? Yes _____ No _____
If yes, provide the following information:

Date disciplinary complaint filed: Month _____ Day _____ Year _____

File Number _____ Contact person _____

If no, you must complete the Complaint Information Form provided and return the signed, completed form with the completed Statement of Claim to the Pennsylvania Lawyers Fund for Client Security. If the attorney is deceased at the time of the filing of this claim, no disciplinary complaint is required.

12. Have you contacted the local prosecutor and/or the local police department? Yes ____ No ____
If yes, please provide the following information:

Date contacted: Month _____ Day _____ Year _____

Contact information for the prosecutor and/or local police department:

Name _____

Address _____

City _____ State _____ Zip Code _____

Phone _____

13. At the time of the loss, were you the spouse or other close relative, partner, associate, employer, or employee of the attorney or a business entity controlled by any of the foregoing?
Yes _____ No _____ *If yes, please explain.*

14. Did an attorney assist you with the preparation and filing of this claim?
Yes _____ No _____ *If yes, please provide the attorney's contact information below.*
Pa.R.D.E. 514(c) prohibits an attorney from accepting payment for assisting a claimant with the filing of a claim with the Pennsylvania Lawyers Fund for Client Security, unless such fee has been approved by the Board prior to payment of the fee.

Name _____

Address _____

City _____ State _____ Zip Code _____

Phone _____

15. Prior to the filing of this claim, have you received any money as reimbursement for your loss?
Yes _____ No _____ *If yes, please provide the following information and copies of any documentation that accompanied the payment:*

Amount: _____ Date: Month _____ Day _____ Year _____

Claimant hereby agrees to notify the Pennsylvania Lawyers Fund for Client Security of any reimbursement received by, or on behalf of, the Claimant during the processing of this claim. If full reimbursement is received, Claimant acknowledges a written withdrawal of this claim should be submitted on a timely basis.

16. How did you learn of the Pennsylvania Lawyers Fund for Client Security?

CLAIMANT (and Co-Claimant, if applicable) MUST READ AND SIGN THE FOLLOWING PAGE.

By the execution of this Statement of Claim, Claimant/Co-Claimant acknowledges that in establishing the Pennsylvania Lawyers Fund for Client Security, the Supreme Court of Pennsylvania did not create nor acknowledge any legal responsibility for the acts of individual attorneys in their practice of law, that the making of any payment or reimbursement of losses from the Pennsylvania Lawyers Fund for Client Security shall be a matter of grace in the sole discretion of the Board and not a matter of right, and that no Claimant nor any other person shall have any right in the Fund as a third-party beneficiary or otherwise. Should any information provided in this Statement of Claim change, or should additional relevant information become available, Claimant/Co-Claimant agree and acknowledge Claimant/Co-Claimant's responsibility to provide such information to the Pennsylvania Lawyers Fund for Client Security prior to the Board's review of the claim.

Claimant/Co-Claimant has filed, or is simultaneously filing, a formal Complaint with the Disciplinary Board of the Supreme Court of Pennsylvania regarding this matter. Claimant/Co-Claimant agrees to cooperate in the fullest with the Disciplinary Board, with the authorities, and with the Pennsylvania Lawyers Fund for Client Security in connection with the investigation and prosecution of the alleged dishonest conduct. Claimant/Co-Claimant acknowledges the filing of the disciplinary complaint and cooperation with the Disciplinary Board, the authorities and the Pennsylvania Lawyers Fund for Client Security are conditions of receiving an award from the Pennsylvania Lawyers Fund for Client Security.

Claimant/Co-Claimant acknowledges the Pennsylvania Lawyers Fund for Client Security's jurisdiction is limited to claims alleging a conversion of client money or property, and the Pennsylvania Lawyers Fund for Client Security does not have jurisdiction over claims alleging malpractice, negligence, or ineffective representation as the sole basis of the claim. Claimant/Co-Claimant acknowledges the Board may only consider for reimbursement the money or property actually received by the attorney, which is being alleged to have subsequently been converted by the attorney for the attorney's own use or benefit.

Claimant/Co-Claimant understands claims filed with the Pennsylvania Lawyers Fund for Client Security are reviewed by the Board in the order in which they are received.

Claimant/Co-Claimant acknowledges claims filed with the Pennsylvania Lawyers Fund for Client Security are confidential.

The undersigned Claimant/Co-Claimant hereby states the facts set forth above are true and correct to the best of my/our knowledge, information and belief. Claimant/Co-Claimant understands the statements and information provided with this Statement of Claim are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature of Claimant
Print Name: _____

Signature of Co-Claimant, if applicable
Print Name: _____

Date signed: _____

Date signed: _____