



TO: The Alberta Lawyers Insurance Association (ALIA)

c/o The Law Society of Alberta
500, 919 - 11th Avenue S.W.
Calgary, Alberta T2R 1P3.
Telephone: (403) 229-4716, 1-800-661-1694
Fax: (403) 244-3072, E-mail: ALIA@lawsociety.ab.ca

To ensure a timely investigation of this potential claim, please return this form along with relevant documentation within three (3) weeks to our CALGARY Office.

The personal information collected from you will be used by the Alberta Lawyers Insurance Association (ALIA) for one or more purposes contemplated by the Legal Profession Act, the Rules of the Law Society, the Code of Professional Conduct, or a resolution of the Benchers and will be accessible to all departments of the Law Society. The information may be used or disclosed by ALIA, now or in the future, for regulatory purposes, including Law Society investigations and proceedings. We may contact you to obtain additional information, or to obtain clarification on the information you provided. Should you have any questions about the collection, use or disclosure of this information, please contact Veronica D'Souza @ (403) 229-4719.

CONFIDENTIAL

New Claim Report

ALIA File: _____

LAWYER INFORMATION

Lawyer:	Roll No.:	Year Called to Bar:	File No.:
Law Firm Name:			
Current Occupation:			
What firm were you with at the time the alleged error occurred?			

BUSINESS INFORMATION

Business Address:	
Business Phone:	Business Fax:
Business E-Mail:	

PERSONAL INFORMATION

Home Address:	
Home Phone:	

CLAIMANT INFORMATION

Name of Claimant:
Address:
Telephone:
Claimant's Lawyer:
Firm:
Telephone:

Name of Client, if different from Claimant:
Length of time you have acted for the Client:
Is/was there a solicitor/client relationship between you/the firm and the claimant? Yes No If " No ", explain:
Is claimant aware of the potential problem? Yes No
Are you continuing to represent the claimant? Yes No If " No ", where is the file?
Have your fees been paid? Yes No

CLAIM INFORMATION

When did the alleged error occur?					
Is this a 'Protocol' claim? <i>(A surcharge will not result if this claim involved a protocol closing)</i>			Yes	No	
How were you made aware of the potential claim?					
When were you made aware of the potential claim?					
When were you first put on notice (written and/or oral) of a claim? <i>If you received written notice or statement of claim, please attach a copy.</i>					
Aside from a solicitor-client relationship, do you have an ownership, financial, or business interest in the client or claimant?			Yes	No	
If "Yes" , please elaborate					
Does this claim arise out of the claimant/client doing business with an entity in which you have an ownership, financial or business interest?			Yes	No	
If "Yes" , please elaborate:					
Is there any proceeding (such as a foreclosure, repossession, application or defence) requiring urgent attention?			Yes	No	
If "Yes" , by when?					
Estimate the amount of the claim that may be presented against you:					
In your opinion, the likelihood of liability is:		Unlikely	Possible	Probable	Definite
Please identify other parties who may be involved in the dispute, e.g. real estate agent, bank, appraisers, tortfeasors, insurers:					
List all staff members directly involved in the matter out of which the alleged error arose, indicating position (partner, associate, articling Student, legal assistant, secretary):					

OTHER

What percentage of your practice was devoted to this area of law at that time?				
How many years had you been practicing in this area of law at the time?				
Does your Firm carry Excess of the \$1,000,000 Mandatory Coverage:			Yes	No
Insurer		Policy #		

Please indicate/circle the Area of Law, Error or Omission and Cause

AREA OF LAW

If other, please elaborate:

1. Real Estate Conveyancing

- 1.1. Unspecified
- 1.2. Residential
- 1.3. Condominium
- 1.4. Commercial
- 1.5. Farm
- 1.6. Other _____

2. Civil Litigation

- 2.1. Unspecified
- 2.2. Personal Injury, automobile
- 2.3. Personal Injury, other
- 2.4. Medical Malpractice
- 2.5. Professional Malpractice, other
- 2.6. Wrongful Dismissal
- 2.7. Liens
- 2.8. Creditor Remedies
- 2.9. Insurance Contract
- 2.10. Commercial
- 2.11. Landlord & Tenant
- 2.12. Charter
- 2.13. Foreclosure
- 2.14. Other

3. Commercial

- 3.1. Unspecified
- 3.2. Construction Contracts
- 3.3. International Business
- 3.4. Lease
- 3.5. Loans, Financing
- 3.6. Natural Resources (Oil & Gas, Mining, etc.)
- 3.7. Purchase/Sale of Business
- 3.8. Other _____

4. Corporate

- 4.1. Unspecified
- 4.2. Corporate Governance
- 4.3. Incorporation
- 4.4. Reorganization/Amalgamation
- 4.5. Securities
- 4.6. Shareholder Agreement
- 4.7. Other _____

5. Matrimonial and Family

- 5.1. Unspecified
- 5.2. Divorce
 - 5.2.1. Property Settlement
 - 5.2.2. Custody
 - 5.2.3. Maintenance
 - 5.2.4. Pension Issues
- 5.3. Separation
- 5.4. Adoption
- 5.5. Other _____

6. Estate Planning and Administration

- 6.1. Unspecified
- 6.2. Wills
- 6.3. Estate Planning
- 6.4. Estate Administration
- 6.5. Trusts
- 6.6. Power of Attorney
- 6.7. Committeeships / Dependent Adult Act
- 6.8. Other _____

7. Aboriginal

8. Administrative/Boards/Tribunals

- 8.1. Unspecified
- 8.2. Health Law
- 8.3. Human Rights
- 8.4. Workers Compensation
- 8.5. Law Society
- 8.6. Other _____

9. Admiralty

10. Arbitration

11. Aviation

12. Bankruptcy/Insolvency/Receivership

13. Criminal

- 13.1. Unspecified
- 13.2. Driving & Traffic Offenses
- 13.3. Young Offenders
- 13.4. Other _____

14. Employment/Labour

15. Entertainment

16. Environmental

17. Immigration

18. Intellectual Property (includes Patent, Trademark, Copyright, Software Licensing)

19. Mediation

20. Tax

- 20.1. Unspecified
- 20.2. Corporate
- 20.3. Personal/Family
- 20.4. Estate/Trust
- 20.5. Other

21. Other _____

ERROR / OMISSION

If other, please elaborate:

- | | |
|--|--|
| <p>1 Limitation/Deadlines</p> <p>1.1 Statutory</p> <p>1.2 Contractual</p> <p>1.3 Procedural</p> <p>1.4 Other _____</p> <p>2 A) Procedural</p> <p>2.1 Defective documentation</p> <p>2.2 Search</p> <p>2.3 Failure to advance litigation</p> <p>2.4 Failure to proceed expeditiously</p> <p>2.5 Failure to appear on behalf of client</p> <p>2.6 Registering/filing</p> <p>2.7 Inadequate Investigation</p> <p>2.8 Error in choice of procedures</p> <p>B) Real Estate only</p> <p>2.9 Survey/R.P.R./other professional certificate/opinion</p> <p>2.10 *Registry Office Search</p> <p>2.11 *Searches other than Registry Office</p> <p>2.12 Failure to sub-search</p> <p>2.13 Lack of independent verification, reliance on others</p> <p>2.14 Protocol</p> | <p>3 Advice & Protection</p> <p>3.1 Title problems/dispute</p> <p>3.2 Prior Encumbrances or charges</p> <p>3.3 Outstanding Interests</p> <p>3.4 Deficient Security</p> <p>3.5 Advice incorrect</p> <p>3.6 Advice inadequate</p> <p>3.7 Failure to protect client's interest</p> <p>3.8 Failure to protect non-client's interest</p> <p>3.9 Failure to refer for independent advice</p> <p>3.10 Inadequate independent advice</p> <p>3.11 Conduct of Trial/Hearing</p> <p>4 Trust Conditions or undertaking</p> <p>4.1 Non compliance by insured</p> <p>4.2 Non compliance by other lawyer</p> <p>4.3 In dispute</p> <p>4.4 Unclear/inappropriate trust conditions</p> <p>4.5 Failure to impose trust conditions</p> <p>5 Malicious Prosecution</p> <p>6 Defamation</p> <p>7 Other _____</p> |
|--|--|

CAUSE OF LOSS

If other, please elaborate:

- | | |
|---|--|
| <p>1 Systems/Procedures/Administrative</p> <p>1.1 Failure to follow up</p> <p>1.2 Diary system error</p> <p>1.3 Inadequate office systems</p> <p>1.4 Failure to memo file</p> <p>1.5 Procrastination</p> <p>1.6 Clerical/mathematical error</p> <p>1.7 Overwork</p> <p>1.8 Inadequate review/preparation</p> <p>2 Communication</p> <p>2.1 Failure to follow client's instructions</p> <p>2.2 Disputed instructions</p> <p>2.3 Disputed retainer</p> <p>2.4 Perceived limited retainer</p> <p>2.5 Poor communication with clients</p> <p>2.6 Poor communication with others</p> <p>2.7 Failure to confirm instructions/advice</p> <p>2.8 Failure to obtain client's consent</p> <p>2.9 Unable to contact client</p> | <p>3 Delegation/Supervision</p> <p>3.1 Delegated to lawyer/student</p> <p>3.2 Delegated to non lawyer employee</p> <p>3.3 Delegated to outsider</p> <p>3.4 Delegation – Poor communication/poor supervision</p> <p>4 Law</p> <p>4.1 Failure to know the law</p> <p>4.2 Failure to know the limitation/deadline</p> <p>4.3 Failure to properly apply the law</p> <p>4.4 Failure to address tax implications</p> <p>5 Conflict</p> <p>5.1 Representing two or more parties</p> <p>5.2 Unrepresented party</p> <p>5.3 Personal/Financial interest in transaction</p> <p>5.4 Other</p> <p>6 Fee Dispute</p> <p>7 Fraud by client/other party</p> <p>7.1 Mortgage Fraud</p> <p>7.2 Investment Schemes</p> <p>8 Other</p> <p>9 Misappropriation</p> |
|---|--|

CLIENT

1	Purchaser	19	Shareholder
2	Vendor	20	Investor
3	Builder/Developer	21	Landlord
4	Contractor/Sub Contractor	22	Tenant
5	Lender/Creditor	23	Employee
6	Borrower/Debtor	24	Employer
7	Guarantor	25	Testator
8	Receiver/Bankruptcy/Trustee	26	Beneficiaries
9	Plaintiff	27	Settlor
10	Defendant	28	Executor
11	Third Party	29	Estate
12	Applicant	30	Trustee
13	Insurer	31	Committee/Attorney
14	Husband/Father	32	Accused
15	Wife/Mother	33	Charity/Non-Profit organization
16	Corporation	34	Band
17	Limited Partnership	35	Taxpayer
18	Partnership	36	Government/Municipality
		99	Other

Please Elaborate:

BRIEF PRECIS OF CLAIM

Please relate all relevant facts pertaining to this claim in chronological order.
(Attach a separate sheet if necessary.)

How could this claim/potential claim have been prevented?

DOCUMENTS / SIGNATURE

The following documents are enclosed:

Correspondence

Statement of Claim

Other

THIS REPORT IS MADE IN CONTEMPLATION OF LITIGATION.

Signature of Lawyer: _____ **Date:** _____

Name of Managing Partner (where applicable): _____

NOTE: Be sure to keep a complete copy of your entire file.

In addition, we are obliged to advise you that the Benchers have resolved that with respect to professional liability insurance claims, claim files may be made available to any department of the Law Society of Alberta.