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Jules J. Anderson, Jr., AAI

Independent Insurance Agents

few weeks ago, IIABSC held its first Technology Conference – an event dedicated strictly to automation and management issues for agencies. Based on the early feedback from participants, the conference was a great success. [Editor's Note: A recap and photo spread of the event will appear in the next issue of this magazine].

Putting together any of our events takes planning and organization – and we are lucky to have a talented staff who knows how to put the details together. Making it even more challenging was the fact that this was a new conference for us– with untested issues and questions.

IIABSC could never have organized the Technology Conference without the time, effort and work of the Technology Committee. This group of agent volunteers – led by Clover Big "I" member Vance Stine – put together an agenda of topics and speakers that eventually became a very successful conference. And any of the time they spent on planning the Technology Conference was time away from their office and their "real jobs."

This method is also exactly how IIABSC gets ALL of the major work done during the year. Volunteers from the membership make up the officers, directors and committee members that focus IIABSC on major initiatives, projects and events. How better to focus association services to its customers than to engage those very customers in its direction?

Directors serve three-year terms and are responsible for setting association policy and direction as well as overseeing IIABSC resources and finances. The Board empowers the IIABSC staff to carry out plans and operations. The Executive Committee, made up of the five officer positions, requires even more commitment to extra meetings and oversight responsibility – again, all the while taking time away from the business that makes them Big "I" members in the first place.

Thankfully, IIABSC is blessed with loyal and engaged volunteer leadership – individuals from agencies and companies who want to make a difference in their industry and serve to improve their association.

Thank You Volunteers!

Many of you have volunteered to serve on IIABSC committees and task forces including education, conference and events, government affairs, technical issues and special projects.

For all that are serving – or have served in the past – THANK YOU! IIABSC could not achieve what we are doing without your time, valuable input and hard work.

It is never too late to get involved, and we are trying to do a better job of getting you plugged in if you volunteer. Let someone know you want to help – another Big "I" leader or committee member or an association staff member. It helps if you have some area that you are interested in working on.

During the past couple of years, the IIABSC committee structure has been updated – eliminating under-utilized committees and focusing on task-force development to lead specific projects or tasks. Currently, the following committees/ task forces are actively working for IIABSC:

- Education Committee
- CIC Committee
- Young Agents Committee
- InsurPac Committee
- Member Relations Task Force
- Technology Task Force
- Public Affairs Committee
- Trusted Choice Committee
- Property Insurance Task Force
- Consumer Awareness Task Force
- Big "I" Trusted Choice Junior Golf Committee

If you would like to explore becoming more involved, talk with a current officer, director or IIABSC staff member. You can also get more information on what each committee or task force works on by contacting our president, Frank Sheppard, at *fsheppard@iiabsc.com*.

IIABSC exists because of its members – and relies on them to keep the association a valuable resource for independent insurance agents. Volunteer and get involved.

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IIABSC President Frank Sheppard, AAI

Independent Insurance Agents

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Brokers of South Carolina

Beginning in 2008 IIABSC dues includes membership in Trusted Choice[®]. Taking advantage of all that Trusted Choice[®] can offer an agency requires proactive steps - making sure that the agency profile is up-to-date on the TC Web site and the agency is identifying themselves as a proud Trusted Choice[®] member.

Implementing Trusted Choice[®] in your agency can seem daunting – but a great tool from Trusted Choice[®] makes it easy to brand your agency. The step-by-step "Live the Brand" guide, walks you through each step to thoroughly and effectively brand your agency and take full advantage of your Trusted Choice[®] membership.

You can get a printed copy of the "Live the Brand" implantation guide by emailing Anita Trevino (*atrevino@ iiabsc.com*) or downloading an electronic version at *www*. *TrustedChoice.com*. Here are a couple of other new features for Trusted Choice[®] agents:

"You Need an Independent Agent^{SM"} Brochure This NEW brochure illustrates a variety of reasons why a consumer should use a Trusted Choice[®] independent agent. The brochure exposes the differences between an independent and captive agent and speaks to the benefits of choosing an independent agent. When searching for insurance, consumers want what our members offer: choice in companies, customization of policies and advocacy in the claims process. Included is the Pledge of Performance, which further demonstrates the service commitment of Trusted Choice[®] agents. The brochure is viewable on our Web site's (*www. iiabsc.com*) Trusted Choice[®] page, accessible under the "Member Resources" tab. Email *atrevino@iiabsc.com* for a hi-resolution version to print in house or through an outside vendor.

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This is Trusted Choice[®]'s newest initiative in recognizing agents that are truly Living the Brand, and helping to encourage other agents to do the same. An Agency of the Month will be named each month of the calendar year. "Month" winners will be recognized in the Trusted Choice[®] Advantage newsletter and will receive plaques to hang in their agency and their choice of any Best Practices book or free VU registration. Any agency that wins the Trusted Choice[®] Agency of the Month will be eligible to also win Trusted Choice[®] Agency of the Year. "Year" winners will receive recognition in *IA Magazine* and the entire Best Practices library. Nominated agencies will be considered for the Agency of the Month if:

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- It has logged into www.TrustedChoice.com at least once during the recognition program for that calendar year to update its agency's profile in the Trusted Choice[®] Agency Locator.
- Its Web site includes the Trusted Choice[®] logo, agency points of contact, 24/7 emergency contact information, and the Trusted Choice[®] Pledge of Performance.

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John R. Braddy, CIC, AAI

Independent Insurance Agents

ack in April, approximately 1,200 independent insurance agents and brokers from around the country descended on the nation's capitol for the Big "I" Legislative Conference & Convention. South Carolina was well represented with a combination of association leaders, volunteers and young agents.

Brokers of South Carolina

The Big "I" Legislative Conference has become one of the premiere meetings for our national association. Highlights this year included an in-depth federal issues briefing session; appearances by numerous high profile speakers and hundreds of meetings on Capitol Hill between Big "I" agents and their elected representatives in Congress.

An especially proud moment for South Carolina occurred when South Carolina Congressman and House Majority Whip James Clyburn addressed all attendees during a morning session. South Carolina agents met personally with Senators, Congressman and staff to discuss specific federal issues that are of concern to independent agents.

Hopefully you already know that the Big "T" has one of the most respected and hard-working government affairs teams in Washington, DC. Day in and day out, our national staff advocates on your behalf protecting the interests of independent agents. But the Legislative Conference is about grassroots strength and personal contact with representatives.

I was very proud of our fellow agents that represented South Carolina. Not only did they have a good understanding of the national insurance issues, our delegation had strong personal ties to the Congressmen and Senators from South Carolina. There just is no replacement for personal relationships - whether dealing with government representatives or your own insurance clients.

This year, agents lobbied for support of the NARAB Reform Act (H. R. 5611), Natural Disaster legislation, Flood Insurance Program renewal while speaking against Optional Federal Charter legislation and McCarran-Ferguson Antitrust Repeal.

It is also comforting to know that our Congressmen

Working the Halls of Congress IIABA National Legislative Conference

and Senators rely on the input of our members when dealing with insurance issues – trusted information from trusted constituents. Our grassroots connections – individual Big "I" members living in the communities with our representatives – is a huge advantage that we should never take for granted.

Our South Carolina representatives in Washington hear from thousands of people on hundreds of issues and can easily get distracted by strong and aggressive advocacy groups. However, on insurance issues, members of the SC delegation rely on our national government affairs staff and the agents back home for guidance.

Another encouraging aspect of this year's Legislative Conference was the number of young agents from South Carolina that participated. Exposing young agents to this national event – and having them participate in meetings with our elected leaders – has been promoted by IIABSC leadership. The young agents meet their peers from other states, interact with IIABSC state officers and directors, learn more about the federal issues that



The SC Big "I" delegation to the national Legislative Conference had a good representation of Young Agents. A few of them are pictured here, (L to R:) Scott Moseley, Irmo Insurance Agency in Irmo; Harrison Cline, Turner Agency in Greenville; Rep. Bob Inglis; Rob Hammett, CWS Insurance in Spartanburg; Frank Sheppard, SC Big "I" President.

affect their business and develop their personal relationships with Senators and Congressmen.

Federal insurance issues may not be at the forefront of your concerns. But rest assured – there are numerous entities out there trying to change the insurance landscape – and not always in your best interest. It is great to know that we have an office in DC that is "watching our back" and agents back home that Washington leaders call on. Put the IIABA Legislative Conference on your calendar next year and join us!



Senator Joe Wilson (center) sports his Heritage jacket surrounded by the visiting SC Big "I" delegation during the National Legislative Conference. (L to R:) Scott Moseley, Kathy McKay, Jay Taylor, Bonnie Cook, Frank Sheppard, Sen. Joe Wilson, Tommy Cook, Charles Paul Midgely, Hill Shaw, John Braddy, Cooper Carter.



National Director John Braddy (right) poses with Congressman Jim Clyburn (left) at the national Legislative Conference, where the House Majority Whip addressed all attendees during a general morning session

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IIABSC Vice President

Becky McCormack, CIC, CPCU, AAI, CPIW

Independent Insurance Agents

When It's Hot, It's Hot

he dog days of summer are upon us, and as is typical in South Carolina this time of year, it's hot, hot, hot! Isn't it funny how we eagerly anticipate each change in the seasons, and then when it arrives we long for another change? I always look forward to the summer and sunny days spent on the lake or at the coast, but as the temperature keeps rising, I once again find myself looking towards the fall and cooler days.

Brokers of South Carolina

Another reason I'm looking forward to the fall is our IIABSC Annual Convention in Myrtle Beach October 5-7. For starters, it's at the Marriott Grande Dunes Resort, which is one of the most beautiful resorts around. We also have a great program lined up for the attendees. A giant welcome party starts us off by the Marriott's pools. There will be plenty of food and a live band to entertain you while you dance under the stars by the ocean.

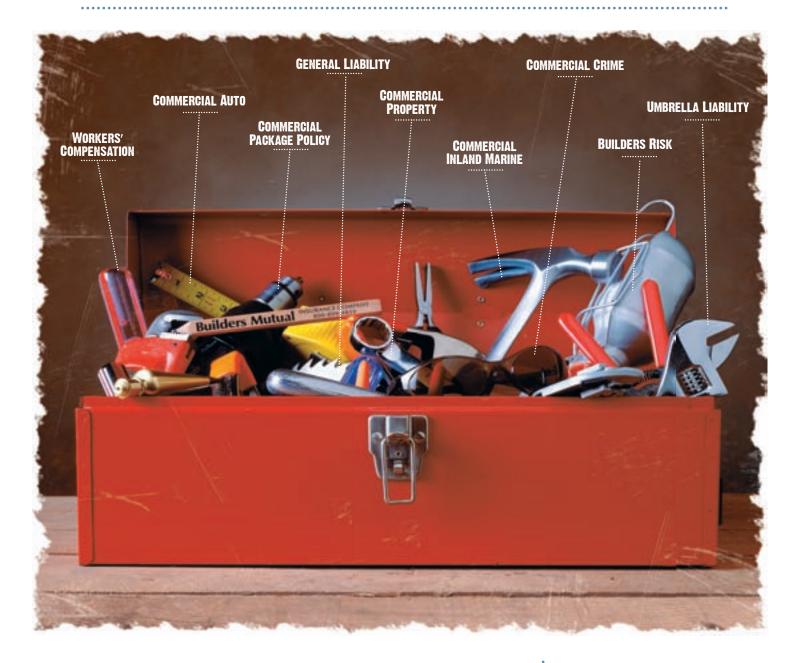
Monday morning will feature internationally known humorist, author and adventurer, David Wood. In his keynote address, "Discover Your Inner Adventurer," David outlines his five-step approach for leaving comfort zones behind and pursuing life's goals and dreams. David doesn't just talk about adventures, he lives them too. His recent book, *Around the World in 80 Rounds*, details David's travels and challenges as he circles the globe playing on some of the world's most exotic golf courses. You don't want to miss David's insightful and entertaining message.

Other exciting sessions include a discussion with the presidents of some of the new carriers writing business in South Carolina. What they consider the benefits of SC as a marketing territory, what have been some of the challenges they have faced and where do they see the marketplace going in the next several years are just a few of the topics they will cover. There will be a "political roundtable" discussion with some of the states leaders as they share their thoughts with us on some of the important political issues facing SC. These are just a few of the exciting sessions – more are still being finalized. Don't forget about the dozens of vendors and exhibitors that will be participating in our largest annual trade show, and the opportunity to network with your peers and company partners. Stay up-to-date on the latest details by visiting our Web site at *www.iiabsc.com*.

So bring on the cooler temperatures and get ready for a HOT time at the IIABSC Annual Convention in Myrtle Beach!



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South Carolina's 2008

Aviator of the Year

Bob Walker: Independent Insurance Agent, Legislator, Aviator

Rep. Bob Walker gazes upon his induction plaque, with a glimpse of his flight instructor days, that hangs in the SC Aviation Association Hall of Fame at Owen's Field in Columbia, SC.

sk South Carolina State Representative Bob Walker about his chief interests in the General Assembly, and he will tell you "constituent service comes first." But he quickly adds that the legislative matters of greatest interest to him are education (he is chairman of the House Education Committee), insurance (he is an independent insurance agent who wants to keep insurance markets competitive) and aviation.

Rep. Walker, 66, has received several honors and recognitions throughout a career in the Air Force, as an independent agent and as a legislator from Landrum (Spartanburg County) for the past 16 years. But a recent honor clearly means as much or more to him that any he has received. On February 7 of this year he was inducted into the South Carolina Aviation Association Hall of Fame and named the state's "Aviator of the Year."

The induction recognizes more than 45 years as an aviator beginning when he took flying lessons in Columbia as a student at the University of South Carolina. Back in '60s, as still today, many male students opted to enroll in a Reserve Officer's Training Program (ROTC) offered on college campuses by the U.S. Army, Air Force and Navy. Walker chose the Air Force program. On an orientation flight he learned that he liked flying. Then he passed the test qualifying him to enter air force pilot training. So he took [Editor's Note: At publication time it looked as though Rep. Walker had narrowly lost re-election in the primaries by only 19 votes. A recount is in process.]

the flying lessons, completed four years of ROTC training and entered the Air Force after graduation in 1965.

Bob Walker grew up on what he calls a "dirt farm" near Landrum, where there was no running water, but there was a wood-burning cook stove. So he views it as improbable that he would have a future as an aviator. He had never been in airplane until he went to college. His flying instructors told him he would have to learn to navigate in the air. He told them he hoped he could do it because "The only navigation I ever did was following the south end of north-bound mule."

As in most of what he has undertaken, Bob Walker excelled in US Air Force Pilot School. After a year of training he finished near the top of his class and selected the option of becoming a jet aircraft flight instructor, which he did for four years, attaining the rank of Captain.

When he returned home to Landrum with his wife, Martha Anderson, and their year-old son, Walker worked for Milliken Textiles for a few years and then in 1974 joined his father-inlaw. Thomas P. Johnson, at the Landrum Insurance Agency. He learned the business quickly and took over as president in 1975. In 2001 he merged Landrum Insurance Agency with the Correll Group of Spartanburg, but remains active in the business. He was IIABSC Agent of the Year in 1997.

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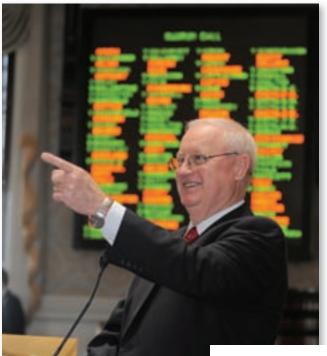


There's yet another connection to aviation that brings a wide smile to Bob Walker's face: His 39-year-old son is US Air Force Lt. Colonel Greg Walker, who like his father is a pilot. Lt. Col. Walker has been in the Air Force for 16 years and is regarded as an excellent pilot. He has served as a Commander and Instructor in the C-130, the plane that flies troops and equipment around the world. He also helped write the pilot's manual for the C-130 model that only requires a crew of two on the flight deck. Greg and his wife, Robyn, have given Bob and Martha Walker three grandchildren - Sara, Tommy and Emma.

Bob Walker has never given up his interest in aviation. For many years he owned an airplane and frequently flew from Landrum to Columbia's Owens Field for General Assembly sessions. He

still borrows his friend's plane on occasion for trips to Columbia. This spring he attended to legislative business in the Capitol and would fly back to Landrum in late afternoons to campaign as the June primary elections approached.

The SC Aviation Association citation says "from private pilot to United States Air Force to the South Carolina House of Representatives, Robert Walker has made a lasting impression on aviation in South Carolina." The association pointed out that





Rep. Bob Walker (right) and Owen's Field manager Jim Hamilton (left) pose by Walker's induction plaque hanging in the SC Aviation Association Hall of Fame at Owen's Field in Columbia, SC. One interesting visual aspect of the induction plaque is the photos transform depending on the viewing angle.

Walker is responsible for 2005 legislation that re-established the SC Aeronautics Commission, which had been abolished several years before. Under the late Gov. Carroll Campbell's (1987 – 1994) restructuring of state government the commission was abolished and responsibility for the state's fleet of aircraft was placed under the new Department of Commerce. Walker worked out a deal that leaves the aircraft under Commerce, but re-established a commission that sets state aeronautics policy.

Walker was elected to the General Assembly in 1992. He came to the General Assembly with a deep interest in education having served on Spartanburg County school boards for nine years before his election to the SC House. After two years on the Agriculture Committee, which is not unusual for freshmen, he achieved an ambition when he was appointed to the Committee on Education and Public Works (Yes, in the SC House the same committee oversees education legislation, the Department of Transportation and the Department of Motor Vehicles). For ten years he was chairmen of the subcommittee that reviewed legislation on public education from Kindergarten through the 12th grade. Two years ago his committee.

Rep. Bob Walker currently serves as the Chairman of the House Education and Public Works Committee, but prior to that was an independent agent and Big "I" member in Landrum, SC. He was named IIABSC "Agent of the Year" in 1997.

Bob Walker says the highlights of his 16 years in the legislature have been the auto insurance reform of 1997, education accountability reform in 1998, reduction of property taxes passed in 2006 and re-establishing the Aeronautics Commission. The auto insurance reform has made South Carolina the envy of the country because, as independent agents know, it resulted in a very completive marketplace. Education accountability reform has given South Carolina the recognition as being in the top five states in education accountability standards. Reduction of property taxes has been a goal of a number of reform-minded legislators for many years.

Bob Walker is a proud husband and father, a successful businessman, a state government leader and an aviator --- our SC Aviator of the Year for 2008.

By Lee Ruef, IIABSC Director of State and Governmental Affairs

Rep. Bob Walker smiles from the desk of his State House office, which is adorned with many reminders of his public and private lives. One he spoke of fondly was a photograph of his son, Lt. Col. Greg Walker, who followed his footsteps to the US Air Force as a flight instructor.

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PRODUCTION Nightmar

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By Matthew R. Davis, Esq., GE Insurance Solutions claims specialist

ven the casual film-buff knows the name Wes Craven. The former B-movie director made a considerable reputation for himself by creating horror films like "The Hills Have Eyes" (I and II), "Scream" (I, II and III) and "Nightmare on Elm Street" (I through VI, at last count). With minor variations, the films' storylines tends to be the same. In the first scene, the hero faces a perilous choice: "Should I stop at this dark, scary house?" In the second scene, propelled by some inexplicable compulsion, the hero makes the wrong decision: "I guess nothing could go wrong if I just peek inside ... " And, of course, in the third scene, mayhem ensues. In the balance of the film, the three scenes repeat until the supply of protagonists-like the bucket of popcorn-is gone. The shouts of the audience not to open that unmistakably sinister door sadly all go unheeded.

Curiously, the nightmare of the average professional liability claims handler follows a remarkably similar plotline. In the first scene, the insured encounters a thorny problem with a customer's coverage. As in most horror films, the problem often is one he or she did nothing to create. In the second scene, the agent heroically wades in to try and fix the problem. In scene three, mayhem ensues. But instead of horror film gore, it's buckets of money that fly as lawyers are hired, suits are filed and retentions vanish like ghosts in the night.

Somewhere around the third act, someone belatedly calls the agent's E&O carrier (the local sheriff in Craven's films), but by this time, it is simply too late to save the hero. The life-altering details of scene two, when the "I can fix this myself!" decision is made, could use some elucidation, as most of these mistakes can readily be summed up and avoided.

The most egregious error of all: Deciding not to report the claim "until I really have to." The basic problem with that decision (one that your Reservation of Rights/Declination letter fully explains) is that E&O policies don't leave that choice in the agent's hands. Instead, your policy likely contains language along the lines of: "The insured shall provide written notice of any 'claim' or 'potential claim' as soon as practical." (Think: e-mail, fax or express mail today.) Your failure to abide by that "shall" requirement could easily result in your E&O coverage disappearing just when you need it most.

This reporting requirement is not unreasonable. Indeed, it exists in large part for the agent's own protection. Consider that most insurance professionals have had few, if any, previous E&O claims. That's the positive side of the equation. The flip side is that, when it comes to addressing an E&O situation, most are relative novices with little practical knowledge about how to proceed, much less an understanding of applicable law.

Your E&O carrier, on the other hand, is staffed with claims professionals who handle such matters on a daily basis. (Westport Insurance Corporation's claims professionals average 13 years of claims handling experience). Moreover, they maintain a list of attorneys in each state and province who specialize in insurance agent E&O claims-genuine experts to whom they can, and regularly do, turn to for in-depth advice regarding the unique nuances of local law and their application to individual cases.

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With these resources primed and ready—not to mention already paid for, in part, by your premiums— why go it alone? Do you fear that your premiums may rise? While that is not a certainty, it beats the alternatives of a hefty deductible payment or, worse yet, no coverage at all.

Another common error is admitting blame. Confession may be good for the soul, but it's terrible for coverage. Most E&O policies contain terse language to the effect that: "The Insured shall not, without our written consent, admit liability."

The challenge of obeying that admonition when an irate customer calls about missing or inadequate coverage may seem daunting at first blush. Understand, though, that there is an important difference between acknowledging a problem exists and accepting blame for creating it. Listen to your customer's concerns. Agree to investigate. You can even indicate, if need be, that you will report the matter to your E&O carrier. Do not, however, make any promises or guarantees regarding the outcome. This includes assurances to your customer along the lines of, "If the carrier doesn't pay this claim, I'm sure my E&O carrier will!"

Equally suspect is the insurance professional's decision to act as mediator when a dispute arises. More than one agent has walked into a room free of liability, but left with a bull's-eye on his back because he or she tried to negotiate a settlement among the various (guilty) parties involved.

Did the parties properly document the deal? Were the responsibilities of the various parties laid out carefully? Who will pick up the tab if one party defaults on its commitment? Was the agent even released? If the deal put together by the agent goes sour and the customer is forced to file suit to protect her rights, it's a safe bet that the person who orchestrated the deal-gone-bad will receive top billing in the complaint filed with the Department of Insurance or, worse yet, the nearest state or federal court.

To make matters worse, that word "shall" probably shows up again in your policy: "The Insured shall not, without our written consent, participate in any settlement discussions nor enter into any settlement." The upshot of these provisions: leave the negotiating to others.

Is there ever a situation where the insurance professional should take an active role in resolving the issue, usually by working with and encouraging the carrier to find coverage and pay the loss? Of course. There are bound to be situations that are recoverable. But once you face what amounts to a claim, or potential claim, it's best to pursue that course of action in consultation with your E&O carrier.

The next time you sense a hint of danger ahead in your insurance practice, remember the old saying, "When you find yourself in a hole, stop digging."

Turn the claim over to your carrier, and leave the nightmares for summer popcorn movies.

A less-obvious mistake is turning over documents or appearing for a deposition without first consulting your carrier. Many E&O policies provide for defense counsel to assist the insurance professional in responding to such legal inquiries with no deductible payment. They do this to help avoid trouble before it happens, which is a win-win for agents and carriers.

It's an uphill battle—on a steep hill—to avoid liability once you make an inadvertent admission under oath or disclose documents that opposing counsel was not entitled to.

—M.D.

The Uh-Oh Moment

Most "claims" are easy to identify: suit Most "claims" are easy to identify: suit papers, a department of insurance complaint against you or a demand letter of any soit almost certainly qualify. A bit less obvious, the almost certainly qualify. A bit less obvious, if proceeding, event or development which has is event or could result in the future result of or claim' against the insured." In lay terms, there is a moment in the discussion when the phrase in oh'' spontaneously springs to mind, accompanie by a sinking feeling. That is the fork in the road where you need to stop, consider, make the right where and act on it at once. _______

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B. In addition, certain words and phrases are defined as follows:

 "Watercraft Liability" subject to the provisions in b. below mean the following: a. Liability for "bodily injury" or "property damage" arising out of the:

(1) Ownership of such vehicle or craft by an "insured";

(2) Maintenance, occupancy, operation, use, loading or unloading of such vehicle or craft by any person;

(3) Entrustment of such vehicle or craft by an "insured" to any person;

(4) Failure to supervise or negligent supervision of any person involving such vehicle or craft by an "insured"; or

(5) Vicarious liability, whether or not imposed by law, for the actions of a child or minor involving such vehicle or craft.

b. For the purpose of this definition:

(3) Watercraft means a craft principally designed to be propelled on or in water by wind, engine power or electric motor; and

(4) Motor vehicle means a "motor vehicle" as defined in 7. below



Terry Tadlock, CIC, CPCU *CIC Education Consultant*

I'm sure many of your clients are already making plans to visit their favorite beach for some fun in the sun. But as they plan I would be willing to bet that few, if any, are thinking about their insurance.

In my family, I usually ruin some part of our trip simply by applying a little insurance risk management to our vacation. This article will focus on one such trip and point out an important insurance tip that your vacationing families may want to consider.

It was several years ago at one of our favorite beach destinations, Destin, Fl. The hotel was great, the city charming and the beach activities were fantastic. It didn't take long for me to pour cold water on their fun. My children, both teenagers at the time, came running up to me with a legitimate request... "Dad, let's go rent the jet skis!" (aka: wave runner). Much to their surprise I responded with a typical insurance professional answer. "Absolutely not! Have you lost your mind? Don't you know that jet skis are classified as inboards and our Homeowners policy will not cover a liability claim involving a rented inboard?"

Their look said it all. They not only didn't know our homeowners policy would not cover such a claim... they didn't care! Once again, Dad ruined the vacation. Trying to find some way to redeem myself in the eyes of my children, I decided to talk to the people who rent the jet skis. Just as I had expected, the three young kids that rented these "death machines" to the unknowing public had no idea about insurance. Now to the important

question: did I rent the jet skis?

Yes, I did. I held my breath for the entire 30 minutes praying that my son would not run the Jet Ski into a group of swimmers or for that matter into someone on the beach. But I just couldn't stand ruining another vacation. At least I went into the situation with open eyes. Our clients more than likely have no idea that such a claim would not be covered.

Let's focus on how the Homeowners policy extends liability coverage to the use of watercraft and some possible solutions.

At left is the definition of "Watercraft Liability" as well as the Coverage E&F Liability exclusion found in the ISO 2000 Homeowners policy. I realize one can go blind reading all of this so I will summarize the policy language in a quick reference chart that should make it easy to explain to your customers.



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Notice that when the policy defines "Watercraft Liability" that it is very broad. Not only is the "Ownership" and "Operation," but also "Entrustment," "Supervision" and "Vicarious liability." Entrustment could be allowing someone to use the watercraft without proper training, or heaven forbid, while intoxicated. Supervision may involve not providing the necessary oversight for the safe use of the watercraft. But the one that worries me the

most is the reference to vicarious liability. This is when one person is held responsible for the acts of another such as a parent for a child. This means when the watercraft liability exclusion is used it will exclude all of these situations. Are any parents starting to get a little concerned at this point? Now let's look at the exclusion.

WATERCRAFT LIABILITY COVERAGE					
Type of Boat	Covered	Not Covered			
Sail Boat	Less than 26 feet	26 feet and over			
Inboard	50 hp of less (rented)	Over 50 horsepower hp All owned			
Outboard	25 hp or less	Over 25 hp			
Borrowed Watercraft is Covered					

B. "Watercraft Liability"

- 1. Coverages E and F do not apply to any "watercraft liability" if, at the time of an "occurrence," the involved watercraft is being:
 - a. Operated in, or practicing for, any prearranged or organized race, speed contest or other competition. This exclusion does not apply to a sailing vessel or a predicted log cruise;
 - b. Rented to others;
 - c. Used to carry persons or cargo for a charge; or
 - d. Used for any "business" purpose.
- 2. If Exclusion B.1. does not apply, there is still no coverage for "watercraft liability" unless, at the time of the "occurrence," the watercraft:

a. Is stored;

- b. Is a sailing vessel, with or without auxiliary power, that is:
- (1) Less than 26 feet in overall length; or
- (2) 26 feet or more in overall length and not owned by or rented to an "insured" or

c. Is not a sailing vessel and is powered by:

(1) An inboard or inboard-outdrive engine or motor, including those that power a water jet pump, of:

(a) 50 horsepower or less and not owned by an "insured"; or

(b) More than 50 horsepower and not owned by or rented to an "insured"; or (2) One or more outboard engines or motors with:

(a) 25 total horsepower or less;

(b) More than 25 horsepower if the outboard engine or motor is not owned by an "insured";

(c) More than 25 horsepower if the outboard engine or motor is owned by an "insured" who acquired it during the policy period; or

- (d) More than 25 horsepower if the outboard engine or motor is owned by an "insured" who acquired it before the policy period, but only if:
 - (i) You declare them at policy inception; or

(ii) Your intent to insure them is reported to us in writing within 45 days after you acquire them.

The coverages in (c) and (d) above apply for the policy period.

Horsepower means the maximum power rating assigned to the engine or motor by the manufacturer.

I hope you can see from this illustration that the Homeowners policy is saying "If you own a boat buy a watercraft policy. If you rent one, it had better be a small one." Unfortunately, I have never seen a 50 horsepower inboard, but I am sure one exists somewhere. Of course, you could always just borrow a boat and be covered. The one problem with this theory is that no one with a decent boat would let you borrow it.

Notice that this exclusion addresses three types of watercraft.

Sailboats, outboards (this is a watercraft that is powered by a

motor on the back of the boat), inboards (this is a watercraft that

has an engine inside the hull of the boat). The following chart

will describe the coverage provided in an easy-to-read format that

although not as comprehensive as the policy language, should

provide you with a pretty good tool to use with your clients.

The one other place you may look for liability coverage for the use of the rented Jet Ski is your Personal Umbrella policy. Read them carefully! I am seeing more and more situations where they are not covered unless there is underlying coverage in the Homeowners policy. There is no standard language I can give you here, just a warning to make sure you have read it carefully before advising your clients.

One last compelling note before we end, while Personal Watercraft (jet skis, wave runners, etc.) comprise 4% of watercraft sales they are responsible for 70% of watercraft injuries. I realize as insurance professionals we can't eliminate all the risks our clients may face, but this is one I feel they might need to be aware of. Pass on the word... and by all means enjoy those summer vacations.

Tadlock is a frequent instructor and speaker at IIABSC education events and state conventions. He spent most of his career as the principal of an independent insurance agency in Florida. He also supervised the creation of all state insurance exams with the Florida Department of Insurance and served on the national committee that sets standards for agent licensing exams.

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Taking Care of Business - Part 3:

HOME BUSINESS POLICY EXCLUSIONS



his is the third and final segment in a series of articles about the RLI In-Home Business Policy (IBP). This article draws attention to common concerns about exclusions found in the standard ISO BOP policy, which is the form used by RLI to provide the In-Home Business policy to homebased entrepreneurs. RLI's IBP is endorsed by the Independent Insurance Agents & Brokers of America.

The first article made the case for why your homeowner clients might have inadequate coverage for their in-home business exposures if they incorrectly assume that their homeowner policy provides coverage. The second article focused on coverages provided by the RLI In-Home Business policy. This article draws attention to situations that might arise wherein a customer's loss might not be covered by his homeowner policy along with a brief overview of common policy exclusions found within the ISO Business Owners Policy.

The last thing an agent wants to hear from a client is "Why didn't you tell me I was not covered?" Telling a client a loss will not be covered is not something any agent looks forward to. So what can agents do to prevent that kind of conversation from happening?

Many things can change after an agent writes a homeowner policy for a customer. One of the first things an agent needs to do is identify clients who may have started operating a home-based business. A process to contact clients prior to policy renewal is a good way to do that. Specific questions should be asked pertaining to home-based business exposures and overall lifestyle within the home. When exposures are identified the agent can discuss the merits of an In-Home Business policy.

Once an In-Home Business policy is purchased, clients need to be aware of some common exclusions within the policy to prevent against any coverage disputes. Common Property Coverage exclusions are found in the RLI In-Home Policy consistent with the ISO BOP form. It is important to remember that there is no Building Coverage under RLI's In-Home policy. Coverage for the home (which is the building for home-based businesses) should be found under the customer's homeowner policy. Additionally, there is no auto or professional liability coverage for RLI In-Home Business policyholders.

The RLI program is not intended for all types of in-home businesses. It is specifically targeted for small retail and service risks operated from the insured's residence premises and presenting minimal product liability, professional liability and/ or off-premises exposures.

To learn more about the RLI@Home Business policy or the PUP, contact Charlene Bernotas at IIABSC or visit *www.iiabsc.com* and click "Insurance Coverage for your clients" under the "Member Resources" tab.



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Rep. Harry Cato and former IIABSC President and current lobbyist Lee Ruef pose for the camera.



Charlotte Bouchet (left) and Tracy Simmons, CISR, (right) of Custom Assurance Placements in Columbia flip through the Winter edition of SC Agent & Broker magazine with agent Stan Hurt (center) of Kinghorn Insurance Services in Ridgeland.



But it was Bryan Hatfield, III, of Palmetto Pride Insurance agency in Orangeburg who took home the most enviable prize, the \$200 cash prize Agent's drawing awarded at the very end of the night. He said it would be going towards his honeymoon later that year.



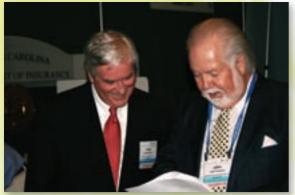
Rep. Harry Cato and Director of Insurance Scott Richardson chuckle over a private joke during the legislative panel. Cato is the House LCI Committee Chairman. Other panel members included House Insurance Subcommittee Chairman Rep. Wallace Scarborough and Sen. Jim Ritchie, who is on the Senate Banking Insurance Committee, a vocal supporter of workers comp reform and who had sponsored a bill to make the Director of Insurance an elected position.



Brothers David (left) and Bobby Bryant (right) from Robert Bryant and Son agency in Orangeburg have a drink with David Pfeifer (center) of Universal Insurance Co/ Seibels Bruce Group in Columbia.



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In true networking form, John Ferguson of Banking Insurance Services says hello to Fred Beckham of Reliance Administrators, a former industry colleague whose name he saw on the attendee register.



Jimmy Hoffner (left) and John Reeves (right), Enterprise Rent-A-Car.



Felix McLellan of Dillon Insurance Agency checks the corkboard to see whether he won an exhibitor's prize.



Exhibitor Jessica Tuggle of Servpro runs the business card of one of her booth's visitors through the laminator for a unique promotional item.

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Rep. Wallace Scarborough and Rep. Harry Cato participate in the legislative panel.



Terry Tadlock, CIC, CPCU explains the "law of deep pockets" in the early morning Ethics CE session. Terry is also the SC Education Consultant for the National Alliance for Insurance Education & Research.



Trusted Choice Big "I" Jr. Golf Chairman Lee Ellis, CPCU, CIC, AAI of Ellis Realty & Insurance Agency in Hampton catches up with Carolyn Muller, AIC, of Auto Owners Insurance Group in Columbia.



Bob B. Lane (right) of Burns & Wilcox Morehead City talks with his fellow exhibitor during the evening reception.



Carolina fans were delighted with exhibitor Kimbrell Insurance Group's promotion of their farm program, each taking home gamecock-masked rubber duckies.



The best part of the exhibitor's reception was easily the numerous doorprizes. Gregg London of AmTrust North America passes an impressive gift basket to his booth's winner, Ralph Ardis of Sumter Insurance Group.



Outside the exhibitors hall in the atrium, Marshall L. Benson (right) of Benson Agency in Lancaster talk with representatives of the Key Risk Insurance Company.



Glenda Burch, CISR, of First Charter Co in Marion looks back while exhibitor Robert Sanders, Jr, CPCU talks with other agents about Preferred Specialty.

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with Presidents of carriers new to SC

The IIABSC Foundation: *Quietly Promoting Insurance Education and Awareness*

By G. Frank Sheppard, AAI IIABSC President

n the early 1980s, Big "I" leaders had a vision for independent agent leadership in insurance education and public awareness. From that early vision the Independent Insurance Agents & Brokers of SC Foundation was established as a special means for South Carolina independent insurance agents to provide support for public safety, insurance-loss mitigation and insurance education for undergraduates and active insurance professionals. The Foundation's objectives are carried out through annual and special grants.

The very first grant from the Foundation was \$5,000 to support arson-detection research. Over the years, the IIABSC Foundation has supported dozens of projects, programs and events that support insurance education or public safety and awareness. Groups or programs that have received support from the Foundation include the SC Fire Marshall, Clemson 4-H program, SC Safety Council, SC Criminal Justice Department, Palmetto Conservation Fund, Palmetto Institute and SC Council on Economic Education.

The Foundation annually provides scholarship grants for insurance students at the University of SC, Clemson University and the College of Charleston. There are also scholarship grants for the CIC and Elite Sales School program sponsored by IIABSC. The Foundation also supports business school endowments at USC and Clemson.

Foundation grants to association education programs support bringing unique insurance instructors to South Carolina and producing special education series during the year.

One of the most visible: The Foundation partners with the SC Insurance News Service and the State Law Enforcement Division (SLED) to sponsor the SC Arson Hotline Program. Hotline rewards are sponsored by the IIABSC Foundation for individuals that come forward with information that results in the arrest and conviction of arsonists.



The Foundation is governed by a five-member Board of Trustees, all past presidents/chairmen of the Independent Insurance Agents & Brokers of SC.

The Foundation was started with an initial donation of

Fast Facts - IIABSC Foundation

- Established in 1984
- Supports insurance education and awareness
- Over \$400,000 in grants and awards made
- Ongoing support for USC, Clemson, College of Charleston, CIC, Elite Sales School, SC Arson Hotline
- Governed by five-member Board of Trustees
- Foundation contributions are tax deductible

\$100,000 from IIABSC. Through investments and contributions, Foundation assets have grown to more than a half million dollars. More than \$400,000 in grants and awards have been made to recipients since the Foundation was started.

In 2001 the Clement Marshall Family made a substantial gift to the foundation that is dedicated to providing financial support to insurance agents seeking continuing professional education. Clement Marshall, a native of Sumter, was founder of a general agency in Charlotte. His son Tom Marshall was the long-time regional vice present of Auto Owners Insurance Company.

Today the Foundation relies on contributions from individual agents, agencies, local independent agent boards, companies, company foundations and all others affiliated with the insurance industry.

A memorial gift to the IIABSC Foundation is an excellent way to honor industry colleagues who pass on. Memorial donations can be made at any time and the families of those memorialized will be notified of the tributes.

All contributions to the IIABSC Foundation are taxdeductible donations.

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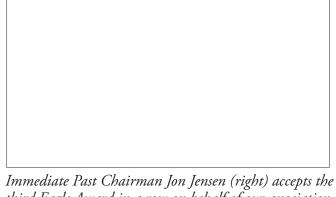
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Immediate Past Chairman Jon Jensen (right) accepts the third Eagle Award in a row on behalf of our association from Nathan Riedel, VP Political Affairs (left) at the national Legislative Conference in Washington, D.C., for averaging \$100 InsurPAC contributions per agency member.

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Taking Time to Work on the Business The work of ACT and AUGIE can help your bottom line.

By Jeff Yates, ACT Executive Director



135 dedicated agents and industry representatives attended the recent ACT and AUGIE meeting and discussed the progress being made with Real Time implementation and the need for more attention to the quality of Real Time and Download implementations. The article also discusses the other top process improvement priorities the participants voted the industry should tackle in 2008.

ith all of the day-to-day pressures to produce and service business, especially in this soft market, it is tough to break out of the daily grind to focus on implementing new technology and workflows, which require work today in order to deliver a return to the business tomorrow. In my job, I have the good fortune of interacting with numerous agents who are paving the way for the rest of the agency force by implementing these improvements in their agencies and then contributing time to work on these issues at the industry level so that they benefit the entire independent agency force.

Contributing Vision and Passion

These agency leaders have both vision and passion. Their vision is that the agency management system should be the hub for their client and policy information and that it should be able to send and receive data seamlessly to and from their companies using a combination of Download and Real Time. These agents have passion because they see their agencies getting ahead using these new technologies – saving time and money and positioning to move to an even higher level of efficiency, customer service and sales capability.

These agency leaders also contribute their time generously at the industry level to the further implementation and refinement of these technologies and workflows because they believe they are establishing the critical infrastructure for the future of our distribution system. They also know that a critical mass of agencies and carriers must implement these improved workflows if they are to become the predominant workflow for the business.

ACT and AUGIE's Roles

The purpose for both ACT and AUGIE (ACORD User Group Information Exchange) is to bring these dedicated agents together with carrier and vendor representatives who are equally committed to improving how our distribution system does business. ACT and AUGIE coordinate closely so that we do not duplicate activities. We each have work groups addressing specific issues throughout the year and bring the industry together three times annually for in-person meetings.

ACT and AUGIE brought 135 agency, carrier, vendor, association and user-group representatives together this past February for two full days of meetings addressing the major workflow and technology issues currently affecting the agency force – ranging from increasing agency and carrier implementation of Real Time and Download, to improving the quality of these implementations to developing a new process for agent single-sign-on to replace the need for unique ids and passwords for each carrier.

Driving Real Time and Download Implementation

An overarching objective for the group continues to be to drive more implementation of Real Time and Commercial Lines Download. The industry has enthusiastically embraced the continuation of the Real Time/Download Campaign for a second year. Twenty associations, user groups, carriers, and vendors stepped forward to fund the Campaign's marketing campaign for 2008, and many additional organizations support the Campaign and have contributed information to the Campaign's Web site. Visit *getrealtime.org* for a wealth of implementation information, links to individual carrier and vendor Real Time sites and Download information and numerous agency and carrier case studies on the benefits of implementation.

In 2008, the Campaign will continue to communicate the importance of Real Time and Download to our industry, encourage agent association and user group Real Time Demonstration Sessions, and report on the implementation progress the industry is making. In addition, ACORD in conjunction with agent associations and user groups will begin to hold meetings for regional carriers across the country to assist them in the implementation of Real Time and the ACORD standards. The industry made good progress with Real Time in 2007, and many



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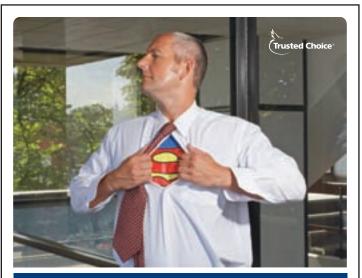


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At the meeting, two regional carriers reported that they met or exceeded their goal to double their real-time transactions in 2007 over 2006. A commercial lines carrier said it is seeing a steady but moderate increase in real-time transactions of 10-15% a month. More and more carriers are realizing the important role their marketing representatives should play in encouraging agents to use Real Time, coupled with having technology representatives available to assist agencies with their implementations. Two carriers said they are seeing strong usage of their commercial lines real-time rating where they are able to bridge over whole vehicle and property schedules from the agency management system without re-entry of any of the data. The CSRs saw the benefits of this capability very quickly!

AMS Services reported that it has seen a 63% growth in real-time transactions year over year and had 400,000 real-time transactions in the month of January. Applied Systems has seen the number of its agency-carrier communicating pairs using Real Time grow to 43,000.

There has also been a big growth in the number of real-time personal lines quote requests. One carrier reported 50% of their quote requests are coming in this way; a second is up to 70%!

47% of another carrier's agencies are using Commercial Lines Download, which is a very encouraging number. Several carriers stressed that using Download and maintaining quality data in the agency management system are critical to the smooth functioning of Real Time transactions so that policy numbers, codes, etc., match and error messages are not produced.

Improving the Quality of Real Time and Download Implementations

At the meeting, the participants voted on several additional issues that the agent and user group organizations had identified for the group to consider as *industry* priorities for 2008 and beyond. **The No. 1 industry priority identified by each of the groups – agents, carriers, and vendors – is to focus on quality control for Real Time and Download implementations** to reduce the number of transactions "erroring out," improve the speed of the transactions and to ensure a positive agency experience. The group agreed that all of the stakeholders needed to take ownership of the quality issue.

Agents can take ownership of the quality issue by:

- Bringing problems to the attention of relevant parties
- Being on the latest versions of their agency management systems
- Implementing Personal and Commercial Lines Download
- Changing agency procedures as necessary to maintain

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high-quality data in their databases and to use the data fields in their system only as they were intended to be used.

The industry needs to do a better job providing contact names and feedback mechanisms that are easy for agents to find when they encounter problems. The industry will work on this, but in the interim agents should contact their system vendor first (unless a clear carrier issue), take advantage of the bulletin boards their user groups provide or enter the issue on the *getrealtime.org* feedback form by clicking on "Contact Us." Make sure to identify the version of your agency system, the carrier, the transaction type and nature of the problem, and remember to save screen shots identifying the problem.

Carriers can take ownership of the quality issue by:

- Always including a clear explanation with every error message
- Making it easy for agents to provide feedback and to identify the contact person
- **Treating these problems as a priority.** One carrier reported that when an agent experiences an unacceptable outcome with a real-time transaction, it pro-actively calls the agent and works through the issue on the spot.
- Providing agents a place to see the status of issues the carrier is currently addressing.

The group identified several additional quality-improvement ideas for vendors, ACORD and the other stakeholders, which

AUGIE's Quality Implementation Work Group as well as ACORD will pursue further.

Increase Implementation of Commercial Lines Download

The second major industry priority identified at the meeting was to increase the implementation of Commercial Lines Download, which was the second priority for the agents and vendors and the third for the carriers. A roundtable addressing this subject recommended several ways to improve Commercial Lines Download in the future:

- Agents should contact their system vendor first when they encounter a problem
- More emphasis should be put on defining the appropriate content to be downloaded
- The certification process should be more effective, with the possibility that re-certification should be required periodically using the latest ACORD standards
- An automated tool should be considered that would compare a particular carrier's downloads with ACORD's minimum data standards and note exceptions.

Other Industry Priorities

The third industry priority identified at the meeting was for ACT to continue its work developing an industry recommendation for agent single sign on (SSO) so that agency employees would have a digital ID accepted by multiple carriers, replacing all other IDs and passwords. Interestingly, this was the No. 2 priority for



carriers, the third priority for vendors and the sixth priority for the agents. Agents probably ranked the Agent SSO issue less highly not because they are any less frustrated with the current password situation, but because they seek other workflow improvements that can be implemented more immediately. ACT's next step is to have its Agent SSO Technical Group do a Proof of Concept testing a new technology such as OpenIDs for agent authentication between vendor systems and carriers.

The agents' third priority (and the fifth overall priority) is for the industry to implement the new workflow recommended by the joint ACT and AUGIE work group, which would enable agents to run the MVR and loss history reports when making a realtime quote request. Today the carrier typically runs these reports after the quoting process when a request to issue the policy is made. Under the proposed workflow, the agent's rating system would automatically enter the information from these reports in the agent's rate request so that the information can be shared with multiple carriers. The carrier that writes the business would reimburse the agents for the report costs.

Agents report that almost half the time an initial quote is changed because of information contained on these reports – leading to a poor customer experience and the chance that the most competitive carrier lost out because this information had not been considered at the quote stage. There was a lot of interest by the carriers and vendors in the Work Group's proposal at the meeting, even though only three carriers and two vendors ranked this issue as one of their top three priorities.

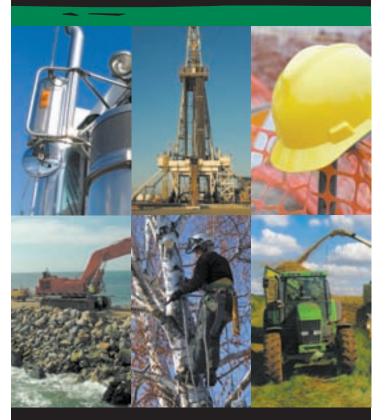
Another hot subject at the meeting was Claims Download, which Applied Systems now offers and several carriers are implementing. It was the fourth overall industry priority and the third priority for carriers (six mentioning it as top priority, three as second and four as third). Four vendors identified the issue as a third industry priority.

Finally, as a fourth priority, the agents identified the implementation of several ACT recommendations to improve the quality of downloads and streamline the download-checking process for agencies. Three vendors and one carrier identified this issue as one of the top three priorities.

The February ACT and AUGIE meetings were successful in bringing the industry together to identify what the industry's process improvement priorities should be for 2008 as well as to add a wealth of input to the current initiatives that are underway. Our objective is to see the industry agree on priorities so that the workflow and technology improvements that are delivered to agents are made available as broadly as possible within a similar time frame, thereby encouraging higher levels of agent adoption.

Jeff Yates is Executive Director of the Agents Council for Technology (ACT), which is part of the Independent Insurance Agents & Brokers of America. ACT's Web site is www.independentagent. com/act. Jeff Yates can be reached at jeff.yates@iiaba.net. This article reflects the views of the author and should not be construed as an official statement by ACT.

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July

- 10-13 Young Agents Conference, Daufuskie Island, 2 hrs P&C, 3 hrs Ethics
- 15 Insuring Personal Auto Exposures (CISR), Florence, 7 hrs P&C
- 16-17 Brokers Pre-Licensing, Greenville, 12 hrs P&C
- 22 E&O Risk Management, Aiken, 8 hrs P&C or L&H
- 22-23 Trusted Choice Big "I" Jr. Tournament, Orangeburg
- 23 Insuring Commercial Casualty (CISR), Columbia, 7 hrs P&C

August

- 7 Insuring Personal Automobile Exposures (CISR), Bluffton, 7 hrs P&C
- 7 William T. Hold Seminar (CISRs only), Charleston, 4 hrs P&C, 4 hrs Ethics
- 13 E&O Risk Management, Anderson, 8 hrs P&C or L&H
- 20-22 CIC Commercial Property Institute, Columbia, 20 hrs P&C
- 26 Insuring Commercial Casualty (CISR), Greenville, 7 hrs P&C
- 26 E&O Risk Management, Myrtle Beach, 8 hrs P&C or L&H
- 26 Wild Times in Personal Lines, Charleston, 6 hrs P&C
- 27 Wild Times in Personal Lines, Columbia, 6 hrs P&C
- 28 Wild Times in Personal Lines, Greenville, 6 hrs P&C

September

- 4 Insuring Personal Residential Exposures (CISR), Rock Hill, 7 hrs P&C
- 17 E&O Risk Management, Bluffton, 8 hrs P&C or L&H
- 18 Insuring Commercial Property (CISR), Columbia, 7 hrs P&C
- 23 Insuring Commercial Property (CISR), Myrtle Beach, 7 hrs P&C
- 24-26 CIC Life & Health Institute, Myrtle Beach, 20 hrs L&H
- 25 William T. Hold Seminar (CISRs only), Columbia, 4 hrs P&C, 4 hrs Ethics

October

- 5-7 110th Annual Convention, Myrtle Beach
- 15-16 Brokers Pre-Licensing, Columbia, 12 hrs P&C
- 28 Insuring Personal Residential Exposures (CISR), Columbia, 7 hrs P&C
- 29 Agency Operations (CISR), Charleston, 6 hrs P&C or L&H, 1hr Ethics

November

- 6 Insuring Commercial Property (CISR), Bluffton, 7 hrs P&C
- 6 Insuring Personal Auto Exposures (CISR), Greenville, 7 hrs P&C
- 11 Insuring Personal Residential Exposures (CISR), Florence, 7 hrs P&C
- 11 E&O Risk Management, Columbia, 8 hrs P&C or L&H
- 12-14 CIC Commercial Casualty Institute, Hilton Head, 20 hrs P&C
- 19 Agency Operations (CISR), Columbia, 6 hrs P&C or L&H, 1 hr Ethics
- 20 Agency Operations (CISR), Myrtle Beach, 6 hrs P&C or L&H, 1 hr Ethics

December

- 4 Insuring Personal Residential Exposures (CISR), Charleston,7 hrs P&C
- 9 Insuring Personal Automobile Exposures (CISR), Columbia, 7 hrs P&C
- 17-18 Terry Tadlock Seminars, TBD

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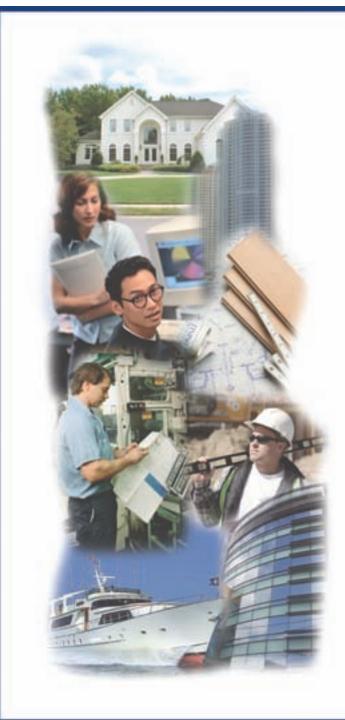
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