



Claims Law Catalog



Educating the Insurance Professional

AMERICAN EDUCATIONAL INSTITUTE'S EDUCATIONAL PHILOSOPHY: INCREASED PROFESSIONALISM THROUGH CLAIMS LAW EDUCATION

Dear Insurance Professional:

Our goal at AEI is a simple one – to increase professionalism in the insurance industry by providing effective claims law courses. To accomplish this goal, we design our courses to present current legal issues arising out of property/casualty and workers' compensation insurance claims and analyze those issues in order to promote thorough understanding by our students, encouraging them to reach, by virtue of their own careful analysis, the best possible ways to resolve those issues. Rather than memorization by rote, our courses challenge students to analyze and solve problems using applicable principles of claims law.

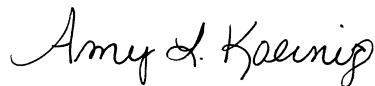
We use an interactive self-study format that allows students to gain valuable feedback from our full-time staff of professional instructors, both by way of written comments to student examinations and one-on-one tutoring using our toll-free line.

Our materials are produced by our staff in consultation with industry and legal experts. These materials are the **ONLY** source of claims law education that is current and continually updated to ensure only the most recent information is presented. In addition, we publish a quarterly newsletter dealing with current topics of interest to claims professionals.

Everything we do is intended to promote our goal – to provide effective claims law education to the insurance industry, and our entire staff is committed to achieving it.

In today's increasingly complex world of claims, one settlement based on insufficient or incorrect information can be costly. Our claims law courses can make the difference between a settlement that is proper and reasonable and one that is inappropriate and costly.

Sincerely,

A handwritten signature in black ink that reads "Amy L. Koernig". The script is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Amy L. Koernig
President

CATALOG INDEX

Courses Offered	4
Full Program	5
Individual Courses	5
Sample Text Material	6
Sample Examinations	7
Monitoring	8
Reports	9
Designations and Awards	10
Professional Designations	10
College Credit	12
Continuing Education Credits	13
Claims Law Update	13
Society of Claim Law Associates	14
Annual Conference and Seminar	14
Professional Staff	15
Common Law and The Courts	16
Fundamentals	16
Legal Principles Program Courses	17
Liability Program Courses	19
Property Program Courses	23
Workers' Compensation Program Courses	26
Law of Claims Fraud Investigation and Defense Program Courses	28
Law of Automobile Claims and Coverage Program Courses ...	31
Administration	34
Fee Schedule	35
Other Fees	36

COURSES AND PROGRAMS OFFERED

FUNDAMENTALS COURSES

- 010 Fundamentals in Coverage and Claims Law
- 025 Claims Fraud Fundamentals

LEGAL PRINCIPLES PROGRAM

- 110 Law of Contracts
- 111 Tort Concepts
- 112 Tort Theories and Defenses
- 113 Law of Agency
- 114 Law of Bailments
- 115 Law of Damages
- 116 Law of Subrogation

LIABILITY PROGRAM

- 210 Liability Insurance Principles
- 211 Comparative Negligence, Contribution and Settlements
- 212 Law of Evidence
- 213 Pleadings and Practice
- 217 Law of Insurance: General Liability
- 218 Medical Malpractice
- 219 Professional Liability
- 220 Products Liability
- 221 Law of Environmental Claims
- 222 Alternative Dispute Resolution
- 223 Employment Practices Liability
- 224 Personal and Advertising Injury Coverage
- 225 Good Faith Claims Handling
- 226 Reservation of Rights

PROPERTY PROGRAM

- 310 Property Insurance Principles
- 311 Fire and Extended Coverage Perils
- 312 Loss Adjustment and Subrogation
- 313 Arson and Fraud
- 314 Homeowners: Property Coverages
- 315 Homeowners: Liability Coverages
- 316 Commercial Property Coverage
- 317 Inland Marine
- 318 Yacht and Boatowners Insurance

WORKERS' COMPENSATION PROGRAM

- 410 Introduction to Workers' Compensation: Origin and Development
- 411 The Employment Relationship in WC
- 412 The Course and Scope of Employment in Workers' Compensation
- 413 Workers' Compensation Benefits
- 414 Federal Workers' Compensation Law
- 415 WC and Employers' Liability Policy
- 416 Practice and Procedures in WC

LAW OF CLAIMS FRAUD INVESTIGATION AND DEFENSE PROGRAM

- 510 Recognizing Fraud
- 511 Special Investigation
- 512 Proving Fraud
- 513 Handling Suspicious Claims: The Policy and its Requirements
- 514 Avoiding Bad Faith & Civil Liability in Handling Suspicious Claims
- 515 Advanced Legal Issues in Fraud Investigation and Defense
- 516 Auto Insurance Fraud

LAW OF AUTOMOBILE CLAIMS AND COVERAGE PROGRAM

- 610 Automobile Insurance Principles
- 211 Comparative Negligence, Contribution and Settlements
- 611 Law of Automobiles
- 612 Law of Automobile Insurance: No-Fault and Med Pay
- 613 Law of Automobile Liability Insurance
- 614 Law of Automobile Insurance: UM and UIM
- 615 Law of Automobile Insurance: First Party Property Damages
- 616 Law of Automobile Insurance: Business Auto Coverage

FULL PROGRAM

AEI claims law courses are grouped together according to subject matter. Each program consists of seven or more courses. These AEI programs help insurance professionals cope with the increasingly complex world of insurance claims and coverage. Our Legal Principles Program is the logical place for students to start since it provides them with a solid foundation in the law applicable to insurance claims and coverage.

Each program is scheduled to take approximately eight months to complete.

Our approach to training recognizes the need for specialization. To complete either the Liability or the Property Program the student must pass the four required courses in each and three of the electives in each. The Automobile Program has three required courses and four electives. This enables claims specialists to concentrate on their specialty, rather than devoting time to materials not needed for that specialty.

By completing our programs, students achieve industry recognized designations, discussed in more detail later in the catalog.

INDIVIDUAL COURSES

Each of the programs we offer is comprised of at least seven individual courses covering a range of subjects, some of which may not be applicable to a student's area of interest or specialty. We realize that some students may only be interested in a specific course of study or they may only be able to fit individual courses into their busy schedule. For these reasons, we allow our students to enroll in individual courses and to choose whichever course(s) they want.

The flexibility of the individual courses allows students and companies to customize AEI's courses to their own training requirements and to make sure that students receive the training they need while companies get the most out of their training dollars.

[NOTE: If a student begins with an individual course and later decides to convert to the full program, a credit will be allowed for each individual course previously taken in that program. See the fee schedule for Conversions.]

SAMPLE TEXT MATERIAL

The text material for each course is presented through understandable language and not “legalese.” This approach permits us to introduce complex legal principles that pertain to claims yet explain them so students will understand their application. In turn this will enable students to put the principles to good use in their own claims work. State-by-state explanations of key areas are also provided.

In addition to the text, actual court decisions are presented to illustrate the subject matter being discussed. By reading these opinions, the student will develop a better understanding of how courts have ruled and are likely to rule on important issues in claims.

As an added benefit, our course textbooks serve as an excellent ongoing reference source.

Law of Fraud Investigation & Defense 512 Proving Fraud

2. HEARSAY

2.01 HEARSAY EVIDENCE IN FRAUD CASES

The discussion of hearsay included here will be limited to defining hearsay and analyzing the types of hearsay exceptions that an investigator or claims professional is likely to encounter when investigating suspicious claims.

The hearsay rule, Federal Rule of Evidence 801, is complex and has many exceptions that are discussed in detail in the *Law of Evidence* Course. Hearsay is a statement made by someone who is not in court and therefore not subject to cross-examination, making it difficult if not impossible to determine whether the out-of-court statement was true. More specifically, hearsay is oral testimony or written evidence that repeats a statement made out of court and is offered in court to prove the truth of the matter asserted in that statement.

Simply stated, hearsay is “second-hand” information that typically comes from a witness who testifies, not about something he personally saw or heard, but about something someone else told him they saw or heard. Because hearsay evidence is second-hand information, it is not considered reliable and, as a result, it is not admissible in court unless an exception to the hearsay rule applies.

If evidence is hearsay, it is not admissible unless an exception to the hearsay rule applies.

The hearsay rule can be broken down into two parts.

- First, there must be an out-of-court statement.
- Second, the out-of-court statement must be offered in evidence to prove the truth of the matter asserted in the statement.

The second requirement is more complex.

Legal Principles 112 Tort Theories and Defenses

1.06 POLICE OFFICERS AND FIREFIGHTERS IN THE LINE OF DUTY

Police officers and firefighters do not fit neatly into any common law classifications. An invitee enters a particular premises because he is invited by the property owner, while a licensee does so for his own benefit with the property owner’s permission. Police officers and firefighters acting in the line of duty enter property because they are required to do so in order to perform their duties. Property owners generally cannot prevent police officers and firefighters from performing these duties, and police officers and firefighters cannot normally refuse to enter property when their duties require them to do so. But police officers and firefighters are still classified as licensees by most courts in order to resolve legal issues that arise from their presence on the property.

Most states treat firefighters and police officers entering property in the line of duty as licensees. As licensees, the property owner must warn them of known, hidden dangers.

In some states, when the property owner has expressly invited the police officer or firefighter onto the premises (for example, to conduct an investigation or inspection), the officer has been given invitee status. Other states, recognizing that police and firefighters don’t technically qualify for invitee or licensee status, have created a special classification. In these states, the property owner owes a duty to maintain access ways in a reasonably safe condition and to warn of known, unreasonably dangerous conditions once the owner becomes aware of the presence of the police officer or firefighter.

Sometimes a statute or ordinance modifies the common law rules. For example, some city ordinances require the property owner to mark, by appropriate signs, all windows that open into a shaftway. The purpose of this is to give notice to the firefighter that there is no floor on the other side. If the owner fails to meet this obligation, he will be held liable to a firefighter injured as a result of this statutory violation.

SAMPLE EXAMINATIONS

Each course requires a 20 question multiple-choice, open-book examination. The exam questions present issues in claims-based scenarios similar to those students face when handling their own claim files.

The fully electronic exams and comments are accessed and submitted from our website. When a student completes an exam and submits it to us, they receive an immediate grade along with instructive comments about their answers. The counselors' comments help students more fully understand the concepts and learn from their mistakes.

Upon enrollment, students are given 30 days to receive the course materials and prepare for their first exam. After successful completion of the first exam, students can take subsequent exams at their own pace within their eight month course schedule (for a full program).

Law of Fraud Investigation & Defense 512 Proving Fraud

2. Fran's claim for property loss due to theft was denied by Fran's insurer based on its evidence that Fran "staged" the loss. Fran sued the insurer to compel coverage. At trial, the insurer sought to introduce evidence that Fran had recovered on insurance theft claims two times before. None of the prior losses were suspicious, and all were promptly paid. Will the insurer be permitted to introduce evidence of the two prior theft claims in order to prove that the current claim was part of a plan to defraud the insurer?
- A. No, because the two prior claims did not involve evidence of a plan to defraud the insurer.
 - B. No, because evidence of prior acts is not admissible to prove a plan to defraud.
 - C. Yes, because the prior claims demonstrate Fran's propensity for submitting fraudulent claims.
 - D. Yes, because prior acts evidence is admissible to prove that Fran acted in conformity with her character.

COUNSELOR COMMENT:

"A" is the best choice because there is no evidence that the prior claims involved fraud and thus, are not relevant to the material issue in the current claim. The issue in the current claim is whether it is a legitimate property loss due to theft, or a staged theft to defraud the insurer. Since there is no evidence that any of the prior claims involved fraud, the prior claims are not relevant to whether the current claim is part of a "plan" to commit fraud. See Para. 2.01. "B" is not the best choice because prior acts may be admissible for certain limited purposes, such as to prove a plan. Neither "C" nor "D" is the best choice because prior acts are not admissible to prove that the claimant has a propensity to commit fraud or to prove she acted in conformity with her character.

Legal Principles 112 Tort Theories and Defenses

6. George owns a building in which Ralph leases an apartment. Ralph's friend, Tom, decided to pay a surprise visit. While walking up the stairs to Ralph's apartment, Tom slipped and fell in a puddle of water. Ralph and several other tenants were aware that the roof leaked and water was falling into the common stairway. Tom sued Ralph. Which best describes Ralph's duty to Tom?
- A. A tenant has a duty to visitors under the general public exception.
 - B. A tenant has the duty to at least post a warning as to dangers, of which he is aware, in common areas of the building.
 - C. A tenant's duty to social guests extends only to the area he leases.
 - D. A tenant's duty to invitees extends to the common areas of the building.

COUNSELOR COMMENT:

"C" is the best choice because a tenant's duty to maintain his premises extends only to the portion of the premises under his control. Generally, a tenant is not responsible for the common areas of a multiple unit dwelling, which are those areas usually controlled by the landlord and used by all tenants and the public. "A" is not the best choice because the general public exception does not apply. This building was not leased to Ralph for purposes of admitting the general public. "B" is not the best choice because the tenant has no duty to maintain the common areas. "D" is not the best choice because, as noted above, the tenant has no duties regarding the common areas. Also, this visitor is a social guest, not an invitee. [Note that if Ralph knew that Tom was on his way to visit, an argument could be made that based on general negligence principles, he had a duty to warn of known hazards Tom might encounter.] See Para. 1.08.

MONITORING

To ensure completion on a timely basis, the following steps are taken:

- When students enroll in either an individual course or a full Program, they are given a due date for completion of each course.
- A student record with these dates is created in our database.
- If a student fails to submit an exam within 30 days of the due date, a reminder notice is sent directly to the student.
- If the student still does not submit the exam within 60 days of the due date, a second notice is sent to the student advising them that failure to submit the exam before the next monthly report is produced will result in the student being listed on the report to management as “Late.”
- If an exam is not submitted within 90 days of the due date, the student appears on the Monthly Report to their company as “Late” (see sample Monthly Report).

While this method has produced favorable results, the ultimate responsibility must rest with the management of the organization to make students aware of what is expected of them when they enroll and to follow up when they are falling behind in their exam submissions.

Student records can be viewed online at our website by entering the student number and student's last name. These records are available to the student and management of the insurance carrier that purchases the courses.

REPORTS

A report is prepared monthly for each company showing all employees enrolled during the month.

Current Enrollment

ID Number	Name	Course	ID Enrolled	Date Due	Exams Rec	Completion Date
750021	Smith, William	LI	01/19/2018	7	2	08/16/2018
750065	Woods, Harvey	LP	03/17/2018	7	0	11/12/2018

A report is prepared monthly for each company showing their employees who are overdue with the exam submissions, or failed a course.

Overdue Students

ID Number	Name	Course	Date Enrolled	Exams Due	Exams Rec	Last Exam Submitted	Completion Date	Status
750043	Doe, Jane	LP	03/27/2017	7	2	05/19/2017	05/19/2018	LATE-R
750040	Williams, Robert	PR	09/21/2017	7	4	02/21/2018	11/21/2018	R
750032	Jones, Gail	PR	01/12/2018	7	2	07/08/2018	09/08/2018	F-311

A report is produced monthly showing all who have completed an individual course or full program with the grade received.

Completed Student Summary

Student No. Name	LEGAL PRINCIPLES Enrl Compl	G R A D E	LIABILITY Enrl Compl	G R A D E	PROPERTY Enrl Compl	G R A D E	WORKERS COMP. Enrl Compl	G R A D E	FRAUD Enrl Compl	G R A D E	AUTOS Enrl Compl	G R A D E	Designa- tion
750027 Smith, Tia	06/11 01/12	E	03/13 11/13	G			04/15 01/16	E	06/17 02/18	E			SCLA
740012 Bell, John	06/10 04/11	E	07/11 05/12	S	06/15 02/16	E	04/10 01/11	G	02/17 12/17	E	03/18		SCLA Silver

A grade transcript is sent to the student upon completion of a full program.

STUDENT INFORMATION		Student Number: 750027	
		Tia Smith SCLA	
ENROLLMENT HISTORY			
PROGRAM NUMBER/NAME	ENROLL	FINISH	GRADE
1F - LEGAL PRINCIPLES	06/04/2014	01/07/2015	E
2F - LIABILITY	03/16/2015	11/25/2015	G
4F - WORKERS' COMPENSATION	04/09/2016	01/29/2017	E
5F - FRAUD	06/11/2017	02/01/2018	E
CURRENT INFORMATION - 5F - LAW OF CLAIMS FRAUD			
COURSE NUMBER/NAME	DUE DATE	DATE REC	GRADE
510 - Recognizing Fraud	08/12/2017	08/15/2017	G
511 - Special Investigation	09/12/2017	09/05/2017	E
512 - Proving Fraud	10/11/2017	10/12/2017	G
513 - Policy and Its Requirements	11/12/2017	11/10/2017	E
514 - Avoiding Bad Faith	12/10/2017	12/01/2017	G
515 - Advanced Legal Issues	01/09/2016	01/15/2018	E
516 - Auto Insurance Fraud	02/09/2018	02/01/2018	E

DESIGNATIONS AND AWARDS

By completing AEI's programs, students earn designations and awards that are widely recognized in the industry as a mark of professional achievement.

Specialist Designations are awarded upon completion of any AEI claims law program. Associate Designations are awarded upon completion of the Legal Principles Program and any other AEI claims law program. For example, by completing the Liability Program, a student earns the Casualty Claim Law Specialist designation. By completing the Legal Principles Program and the Liability Program, a student earns the Casualty Claim Law Associate designation. Other combinations produce other designations (see the chart that follows) .

The ultimate designation a claims professional can earn is the SCLA (Senior Claim Law Associate). This is achieved by completing the Legal Principles Program and three of the other five AEI programs: Liability, Property, Workers' Compensation, Automobile Claims and Coverage, and Claims Fraud Investigation and Defense.

A student who, after earning the SCLA, goes on to complete a fifth program earns the SCLA Silver Award. By completing a sixth program, a student earns the SCLA Gold Award.

These designations and awards provide students with well deserved recognition for having met the requirements of one or more of AEI's comprehensive claims law programs. Furthermore, by earning an AEI designation, a student becomes eligible to join the Society of Claim Law Associates, an organization dedicated to claims education and professionalism (see page 14).

PROFESSIONAL DESIGNATIONS

SPECIALIST DESIGNATIONS

LPCS	Legal Principles Claim Specialist Completion of Legal Principles Program
CCLS	Casualty Claim Law Specialist Completion of Liability Program
PCLS	Property Claim Law Specialist Completion of Property Program
WCLS	Workers' Compensation Claim Law Specialist Completion of Workers' Compensation Program
FCLS	Fraud Claim Law Specialist Completion of Fraud Program
ACLS	Automobile Claim Law Specialist Completion of Automobile Program

PROFESSIONAL DESIGNATIONS

ASSOCIATE DESIGNATIONS

CCLA	Casualty Claim Law Associate Legal Principles - Liability
PCLA	Property Claim Law Associate Legal Principles - Property
WCLA	Workers' Compensation Claim Law Associate Legal Principles - Workers' Compensation
FCLA	Fraud Claim Law Associate Legal Principles - Fraud
ACLA	Automobile Claim Law Associate Legal Principles - Automobile

Upon completing another program after achieving an Associate Designation, the student receives a combined designation. For example:

CCLA/ PCLA	Casualty-Property Claim Law Associate Legal Principles - Liability - Property
-----------------------	---

The Senior Claim Law Associate designation remains the ultimate in claims law professionalism.

SCLA	SENIOR CLAIM LAW ASSOCIATE Legal Principles Plus Three Of Other Five: Liability - Property - Workers' Compensation Fraud - Automobile
SCLA Silver	SENIOR CLAIM LAW ASSOCIATE Silver Legal Principles Plus Four Of Other Five: Liability - Property - Workers' Compensation Fraud - Automobile
SCLA Gold	SENIOR CLAIM LAW ASSOCIATE Gold Legal Principles - Liability - Property Workers' Compensation - Fraud - Automobile

NOTE: A Qualifying Exam, which tests the individual's knowledge in all aspects of Legal Principles, may be taken in lieu of the Legal Principles Program. For details, call American Educational Institute at 1-800-631-8183.

COLLEGE CREDIT

Upon completing a claims law course, a student may be eligible to receive college credit. National College Credit Recommendation Service (National CCRS) has evaluated AEI's courses and issued recommendations for college credit for those courses. Colleges and universities across the country rely on this information and award credit to students for taking AEI courses. For more information, visit the National CCRS website at www.nationalccrs.org and search for American Educational Institute.

While many colleges and universities across the country recognize the credit recommendations of National CCRS, AEI has a special relationship with Thomas Edison State University (TESU) in New Jersey. TESU, accredited by the Middle States Association of Colleges and Schools, specializes in providing flexible, high quality educational opportunities for adults and will accept credit for those AEI courses completed according to the National CCRS requirements (an important requirement is that **THE COURSE EXAM MUST BE PROCTORED AND THE PROCTOR MUST BE APPROVED IN ADVANCE BY AEI**). A student can obtain an undergraduate degree directly from TESU, regardless of where the student lives or works. Enrolling in its BSBA (Bachelor of Science in Business Administration) degree program will enable the student to gain the greatest benefit from AEI courses, especially if the student chooses a specialization in Insurance, because AEI's courses are matched with core and specialization requirements that make up the bulk of that degree.

TESU offers a graduate degree, Master of Science in Management, which requires 36 credits, 12 of which can come from AEI work. For graduate degree credit, a research project is required for each AEI course. This project will involve a topic relevant to the course in question as determined by AEI's Director of Education. It must be 5-7 typewritten pages. There is a \$50 fee per course (graduate level only).

TESU's unique educational mission provides flexible, high quality, collegiate learning opportunities for self-directed adults. TESU students fulfill degree requirements through a variety of means: they take credit-bearing examinations, they transfer credits they have earned from other accredited institutions, they take online and other distance-delivered courses, and they have their college-level knowledge assessed through the Prior Learning Assessment (PLA) process. Through these various means, students may earn college credit and complete degrees wherever they live or work. There is no residency requirement.

For details, call AEI at 1-800-631-8183 or e-mail us at www.aeiclaimslaw.com and ask about college credit.

CONTINUING EDUCATION CREDITS

Adjusters in many states are required to obtain continuing education credits for license renewal. AEI's individual courses have been approved as a source for these credits in certain states. Please refer to our website index and click on *Continuing Education* or call 800-631-8183 for complete instructions before any exams are submitted.

CLAIMS LAW UPDATE

Also included in the program tuition is AEI's Claims Law Update. This newsletter, published quarterly, provides articles dealing with timely topics of critical importance to claims professionals. Each new issue is available on AEI's website and delivered electronically to current students and AEI designation holders. The latest *Claims Law Update* and the previous edition are made available on our website along with a listing of recent SCLA designation achievers. Archived editions of the *Claims Law Update* are made available exclusively to members of the *Society of Claim Law Associates*.

SOCIETY OF CLAIM LAW ASSOCIATES

The Society of Claim Law Associates (SCLA) is an organization of claims people whose purpose is to promote claims professionalism through education. The Society is a not-for-profit corporation governed by a volunteer Board of Trustees who are elected by the general membership every two years.

SCLA represents two things: the Society of Claim Law Associates itself, and also American Educational Institute's (AEI) highest professional designation – the Senior Claim Law Associate designation. Membership in the Society, however, is not limited to those who have earned the SCLA designation. Those who have earned any claim law designation from AEI are eligible to become members of the Society.

The primary mission of the Society is to improve the level of understanding, knowledge, and expertise of its members in the area of claims law, and provide a forum for the exchange of information and ideas relating to claims law. The Society will help to establish, maintain, and promote a level of professionalism among its members through its activities, and encourage and assist others to become the most proficient and knowledgeable claims professionals they can be.

Upon joining (visit the SCLA Website at www.sclasociety.org for information about annual dues and a membership application), the member will receive a packet that includes a membership certificate, a member ID number that allows access to the "Member Services" section of the website and SCLA NEWS (the official newsletter of the Society, published and sent to members electronically, three times a year).

The Member Services section of the SCLA website is available only to dues-paid members of the Society and includes: (1) a Membership Directory, (2) a Claims Law Guide, and (3) a Reading Room. The Membership Directory allows members to network with each other. Members may search the database to obtain the names of other members in a specified state and may even narrow down the search to identify those members who adjust a specified line of coverage. The Claims Law Guide includes relevant claims law information for each state and the District of Columbia. The guide is revised annually by the professional staff of AEI. The Reading Room provides members with an online library of claims law articles written by professionals in the claims industry.

ANNUAL CONFERENCE AND SEMINAR

In the spring of each year, the SCLA hosts its annual Claims Conference and Designation Reception, which provides members with an opportunity to exchange ideas and information, attend seminars, and listen to presentations by leading experts in claims law.

The SCLA Designation Reception and Banquet is held in conjunction with the annual Conference. Members who have earned their Senior Claim Law Associate or other AEI claims law designation during the preceding year are recognized for their achievement.

For additional information regarding membership, the annual Conference, or any aspect of the organization, visit the Society's website at www.sclasociety.org or contact an SCLA representative at (908)766-5920.

PROFESSIONAL STAFF

Our professional staff is made up of legally trained educators experienced in multi-line claims. They are responsible for writing, revising, and updating all course materials, and for administering the courses by developing examination questions and writing comments to student answers.

The examination questions are built around actual claim situations so students analyze issues that parallel their own claim files. Each exam is graded and returned with appropriate instructive comments.

The counselors are available by phone (toll-free 1-800-631-8183) to offer assistance to students as they progress through the program.

ROBERT H. SMITH, Executive Vice-President:

AB Assumption College; JD Seton Hall University School of Law; Member New Jersey and Federal Court Bars; Member Defense Research Institute; Editor-in-Chief, AEI Claims Law Update and text revisions for Legal Principles, Liability, Property, Workers' Compensation, Fraud Investigation and Defense, and Automobile.

GERARD J. CHIARA, Vice-President:

BA St. Peter's College, JD Touro College School of Law, Member New Jersey and Federal Court Bars, Private practice experience with insurance defense firm including personal injury and workers' compensation litigation.

JOHN M. BERKO, Counselor:

BA University of Miami, JD Potomac School of Law, Member Georgia and Federal Court Bars, Private practice experience including personal injury litigation.

KATHY HUNTER, Counselor:

BS in Education, Trenton State College. Extensive property and casualty claims experience including personal injury litigation and supervision of multi-line representatives.

MICHAEL D. MORRA, Counselor:

BA Muhlenberg College; JD Widener School of Law; Member New Jersey Bar; Private practice experience with insurance defense firm specializing in litigation, including bodily injury, property damage and coverage issues.

COMMON LAW AND THE COURTS

Common Law and the Courts is an informative booklet that will introduce the court system and explain how to read and understand the judicial decisions that impact so heavily on claims law. It also includes research tips and a glossary of legal terms. This booklet is a useful tool in better understanding the law of claims. The booklet is located in the Student Center portion of the website.

FUNDAMENTALS

#010 – FUNDAMENTALS IN COVERAGE AND CLAIMS LAW *is a course in coverage and claims law designed for the entry level employee and all who want an understanding of the principles of law and insurance as they apply to coverage and claims.*

This course provides the insurance professional with a basic understanding of the principles of insurance and law necessary for sound underwriting and claims adjusting. It combines elements of coverage interpretation and legal principles that will allow the student to see at once how our legal system affects the insurance policies on which claims are based.

While the materials are presented as an overview, they are sufficiently sophisticated to give the student a sound base on which to build a thorough knowledge of coverage and claims law. The text describes the policy and its essential parts in the context of how courts have interpreted them, clearly explains how tort liability is established and how it affects coverage under the policy, and discusses damages and how they are determined in first and third party claims.

Course Index

1. The Insurance Policy as a Legal Contract
2. Legal Liability and Causation
3. Indemnification and Recoverable Damages
4. Litigation, Arbitration, and Other Ways to Resolve Disputes while Controlling Costs

#025 – CLAIMS FRAUD FUNDAMENTALS *is an introductory course that presents some of the main issues in fraud recognition and investigation. It's specially designed for new SIU personnel.*

This course provides the student with an understanding of the principles of insurance law necessary for effective investigations. The course introduces the student to concepts of insurance claims law as they apply to the investigation and defense of suspicious claims.

Combining elements of insurance coverage and legal principles, the course covers the rights and responsibilities of the insurer, insured, and third parties. The course will allow the student to see at once how the law impacts the investigation of suspicious claims and how to investigate suspicious claims within the boundaries established by the insurance policy as interpreted by actual court cases.

Course Index

1. Fraud as a Policy Defense
2. Special Investigation and the Law
3. Insurance Fraud and Criminal Prosecutions
4. Issues of Legal Proof

LEGAL PRINCIPLES PROGRAM COURSES

*The **LEGAL PRINCIPLES PROGRAM** is the foundation for a thorough understanding of the rules of law that apply to claims. In today's environment of complex litigation, it's essential that every claims professional have a comprehensive working knowledge of claims law principles. The program is also the first step toward earning a Claims Law Associate designation in Casualty, Property, Workers' Compensation, Fraud, or Automobile.*

NOTE: All courses required for program completion.

#110 LAW OF CONTRACTS

This course will enable the student to understand the fundamental principles of contract law, including offer, acceptance, and consideration. Emphasis is placed on the insurance policy as a contract as well as other contracts important to insurance claims work such as releases, assignments, exculpatory and indemnity agreements.

Course Index

1. Basic Concepts
2. Offer, Acceptance, and Consideration
3. Specific Contracts
4. Contract Defenses

#111 TORT CONCEPTS

This course will enable the student to understand the essential elements of tort law, including the concepts of duty, foreseeability, proximate cause, joint tortfeasors, negligence, intent, and liability without fault in terms of both the common law and statutory modifications of the common law.

Course Index

1. Tort Law Fundamentals
2. Intentional Torts
3. Negligence and Absolute Liability
4. Parties Liable

#112 TORT THEORIES AND DEFENSES

This course will enable the student to identify theories of liability and appropriate defenses to tort theories of liability. Theories covered include premises liability, emotional distress, as well as tort claims against employers and government entities. Also discussed are specific defenses such as assumption of risk, contributory/comparative negligence, interspousal and intrafamily immunity.

Course Index

1. Premises Liability
2. Emotional Distress
3. Prenatal Injuries
4. Governmental Liability
5. Defenses

LEGAL PRINCIPLES PROGRAM COURSES

#113 LAW OF AGENCY

This course will enable the student to identify an agency relationship and determine the liability of the principal for the agent's acts; understand special circumstances such as independent contractors, joint enterprise, ratification, and the family purpose doctrine; and understand various relationships, rules, and defenses that are applied in claims between principal and agent, agent and third parties, and principal and third parties in connection with contract and tort actions.

Course Index

1. Creation and Termination of Agency Relationship
2. Types of Agency Relationships
3. Authority of the Agent
4. Effect of Agency on Liability of Parties

114 LAW OF BAILMENTS

This course will enable the student to understand the special rules of contract law applied to claims when property is in the care, custody, or control of others; explains pledges, hire of use, custody, and service bailments; describes duties, liabilities and rights of innkeepers, common carriers, and other classes of bailees to the bailor and to third persons.

Course Index

1. Bailments Generally
2. Types of Bailments
3. Innkeepers, Hotels, and Motels
3. Common Carriers

#115 LAW OF DAMAGES

This course will enable the student to understand the law of damages as it relates to property and casualty claims. Emphasis is placed on evaluation of compensatory damages for property loss and bodily injury. Subjects covered include the claimant's duty to mitigate damages, rules relating to the recovery of punitive damages, application of statutory damage caps, spousal and parent/child consortium, the collateral source rule, and wrongful death claims.

Course Index

1. Damages Fundamentals
2. Measure of Damages – Breach of Contract and Property Loss
3. Measure of Damages – Bodily Injury
4. Damages in Death Cases

#116 LAW OF SUBROGATION

This course will enable the student to use a knowledge of legal principles for recovery of claim loss payments by way of subrogation and indemnification. The course also explains opportunities for loss sharing through contribution, and the use of arbitration as a means of resolving disputes with other companies.

Course Index

1. Common Law Subrogation
2. Defenses
3. Types of Subrogation Actions
4. Indemnity and Contribution

LIABILITY PROGRAM COURSES

*The **LIABILITY PROGRAM** examines in detail the basis for liability in specific substantive and procedural areas of law. Knowledge of these selected course topics is essential to any claims professional, whether he or she specializes in casualty claims or has only occasional contact with these claims. The program also addresses the interaction between these principles and the principles of coverage under the Commercial General Liability Policy and other liability policies. The student will learn how legal liability and coverage disputes have been and are likely to be resolved in the courts.*

NOTE: For program completion all required courses and three electives must be taken.

#210 LIABILITY INSURANCE PRINCIPLES (Required)

This course will enable the student to analyze fundamental principles of liability insurance and the insurance contract to determine the coverage and understand basic concepts of insurance law for liability coverages as they have been interpreted in the courts. Included are discussions of policy conditions, the duties of both insured and insurer once a loss has occurred, the insurer's duty to investigate, defend and settle, and ways to avoid allegations of bad faith.

Course Index

1. Introduction to Liability Insurance Principles
2. The Liability Policy Contract
3. Liability Policy Conditions
4. Insurer's Duties

#211 COMPARATIVE NEGLIGENCE, CONTRIBUTION AND SETTLEMENTS (Required)

This course will enable the student to analyze the various forms of comparative negligence and to apply comparative negligence principles on a state by state basis; understand the three theories of comparative negligence and their application to a dollar and cents evaluation of claims; and give consideration to the relationship of comparative negligence to strict liability, joint and several liability, contribution among joint tortfeasors, products liability, subrogation, and other areas.

Course Index

1. Contributory and Comparative Negligence
2. Comparative Negligence Applied to Specific Types Of Claims
3. Multiple Tortfeasors
4. Contribution, Indemnification, Judgments, and Settlements

NOTE: Credit will be given for course #211 if completed as part of the Automobile Program.

#212 LAW OF EVIDENCE (Required)

This course will enable the student to understand rules governing admissibility of evidence at trial. By reviewing the common law and the Federal Rules of Evidence, students will become aware of the possibilities inherent in any evidence situation for the purposes of better guiding the claims investigation.

Course Index

1. Fundamental Principles of Evidence
2. Methods of Proof
3. Witnesses
4. Hearsay Evidence and Hearsay Exceptions

LIABILITY PROGRAM COURSES

#213 PLEADINGS AND PRACTICE (Required)

This course will enable the student to understand legal procedures and their role in the litigation process, the various time periods within which actions must be brought, and the jurisdictional basis for bringing actions in the state and federal courts. The practical aspects of court procedures are emphasized to promote more effective interaction between the claims professional and defense counsel.

Course Index

- | | |
|----------------------------|--------------------------------|
| 1. Jurisdiction | 3. Discovery |
| 2. Pleadings and Procedure | 4. Trial, Judgment, and Appeal |

#217 LAW OF INSURANCE: GENERAL LIABILITY (Elective)

This course will enable the student to understand and analyze the courts' interpretation of general liability policy language affecting investigation, negotiation, and settlement of claims; and to understand various coverage issues such as punitive damages, wrongful termination of employment, and sexual misconduct; as well as important policy exclusions, such as the intentional acts exclusion, the pollution exclusion, and the work product exclusions.

Course Index

- | | |
|--|--------------------------|
| 1. Introduction to General Liability Insurance | 3. Coverage Exclusion |
| 2. Coverage Provided | 4. CGL Policy Conditions |

#218 MEDICAL MALPRACTICE (Elective)

This course will enable the student to understand the exposure in various areas of health care such as physicians, nurses, hospitals, nursing homes, and pharmacists. Their rights and liabilities are analyzed not only with respect to patients and customers but also as to third parties who might be affected by their actions. The standard of care is examined as to each health care provider as well as methods of proving deviation from that standard. Defenses such as statute of limitations, contributory negligence, and assumption of risk that may be raised on behalf of the medical professional are also discussed.

Course Index

- | | |
|--------------------------|--------------------------------------|
| 1. Physicians | 3. Other Medical Providers |
| 2. Theories of Liability | 4. Defenses and Recovery Limitations |

#219 PROFESSIONAL LIABILITY (Elective)

This course will enable the student to understand duties, liabilities, and defenses of those rendering non-medical professional services; and to focus attention on those factors constituting negligence, giving rise to appropriate defenses and better directing investigation to avoid unwarranted expense and unnecessary claim payments.

Course Index

1. Introduction
2. Duties and Liability of Attorneys
3. Duties and Liability of Insurance Professionals
4. Duties and Liability of a Public Accountant
5. Duties and Liability of Directors and Officers

LIABILITY PROGRAM COURSES

#220 PRODUCTS LIABILITY (Elective)

This course will enable the student to understand common law and statutory law with regard to defective products and to know the differences in the common law and statutory approaches to the liability questions that arise when defective products cause injury or damage.

Course Index

1. Negligence
2. Warranty Liability
3. Strict Liability in Tort
4. Defenses

#221 LAW OF ENVIRONMENTAL CLAIMS (Elective)

This course will enable the student to identify and understand key issues in environmental claims, both first and third party. In first party claims, the issues discussed include the existence of direct physical loss, loss of use as physical loss, types of property covered, and the application of policy exclusions. Discussion of third party claims includes the definition of covered occurrence, application of coverage triggers, determination of whether cleanup costs qualify as covered damages, and court interpretation of the term “sudden and accidental” in the pollution exclusion, as well as the absolute pollution exclusion contained in current liability policies.

Course Index

1. Introduction
2. Pollutant and Contaminant Defined
3. Theories of Liability and Damages
4. Liability Coverage Issues
5. First Party Property Coverage Issues
6. Environmental Statutes

#222 ALTERNATIVE DISPUTE RESOLUTION (Elective)

This course will enable the student to understand the various methods of ADR available as alternatives to expensive and time consuming litigation. The student will learn how to evaluate the appropriateness of a particular ADR method to any given claim, as well as the procedures required, the legal implications of that method and whether it’s binding on the parties, and whether an appeal is available.

Course Index

1. Introduction
2. Negotiation
3. Mediation
4. Arbitration

LIABILITY PROGRAM COURSES

#223 EMPLOYMENT PRACTICES LIABILITY (Elective)

This course will enable the student to understand the law relating to employment practices claims. State and federal statutes as well as common law claims are considered. The student will also learn which policies provide coverage for employment practices claims, with special emphasis on CGL and EPLI.

Course Index

1. Introduction
2. The Statutes
3. Common Law Employment Issues
4. Insurance Coverage

#224 PERSONAL AND ADVERTISING INJURY COVERAGE (Elective)

This course will enable the student to understand this coverage as contained in general liability insurance policies. The student will study non-advertising offenses such as false arrest, malicious prosecution, wrongful entry and eviction, invasion of privacy and defamation, advertising-related offenses such as infringement of copyright, trade dress, and advertising slogans, and policy exclusions. The student will learn the policy language as well as court interpretations of the policy language.

Course Index

1. Introduction to Personal and Advertising Injury Coverage
2. Non-Advertising Offenses
3. Advertising-Related Offenses
4. Personal and Advertising Injury Exclusions

#225 GOOD FAITH CLAIMS HANDLING (Elective)

This course will enable the student to understand how to handle claims while discharging the duty of good faith and fair dealing that the insurer owes to its insureds. The student will learn: how courts have defined good faith in first party and third party claims; how to determine the applicable limitations period in bad faith actions; how to meet the requirements of unfair claims settlement practices acts and other statutes; the scope of the insurer's duty to defend and duty to settle; what damages are recoverable in bad faith actions.

Course Index

1. General Principles of Good Faith Claims Handling
2. Bad Faith Causes of Action
3. First Party Bad Faith
4. Third Party Bad Faith

#226 RESERVATION OF RIGHTS (Elective)

This course will enable the student to understand the scope of an insurer's duty to defend and the benefit to the insurer of reserving its rights when it is unsure of its duty to defend. The student will study the elements of nonwaiver agreements and reservation of rights letters, the effect of waiver and estoppel, and the assumption-of-defense exception. The student will learn when a reservation of rights letter should be issued and what it should contain, the effect of a true conflict of interest with its insured, when the insurer is entitled to reimbursement of defense costs, and the purpose and effectiveness of declaratory judgment actions.

Course Index

1. The Duty to Defend
2. Nonwaiver and Reservation of Rights
3. Conflict of Interest and Appointment of Independent Counsel
4. Insurer's Right to Reimbursement
5. Declaratory Judgments

PROPERTY PROGRAM COURSES

The **PROPERTY PROGRAM** provides the claims professional, whether a property specialist or generalist, an understanding of the legal principles that are the foundation for handling all property claims, from the most basic to the most complex. The student will learn how these principles have been and are now being applied by the courts to interpret contract language and decide disputes over the various personal and commercial lines coverages.

NOTE: For program completion all required courses and three electives must be taken.

#310 PROPERTY INSURANCE PRINCIPLES (Required)

This course will enable the student to understand the legal rights and responsibilities of insurance agents, brokers, and adjusters in procuring and servicing property insurance, understand the meaning of insurable interest and how to recognize its importance in any investigation, and have a thorough understanding of property insurance basics as a foundation for the study of specific coverages.

Course Index

1. Introduction to Property Insurance
2. Contract Principles and Property Insurance Concepts
3. Policy Provisions

#311 FIRE AND EXTENDED COVERAGE PERILS (Required)

This course will enable the student to understand the fire and extended coverage perils, interpret judicial decisions involving those perils, and understand the elements of basic fire coverages and how the fire and extended coverage perils as originally contained in the N.Y. Standard Form and the Extended Coverage Endorsement provide the foundation for modern homeowners and commercial policies.

Course Index

1. Fire Insurance
2. Extended Coverage
3. Common Provisions

#312 LOSS ADJUSTMENT AND SUBROGATION (Required)

This course will enable the student to understand the rights and duties of the insurer and the insured in handling loss adjustments, understand legal interpretations of policy requirements for notice, proof of loss, examination under oath, etc., understand the rights and responsibilities of the insurer with respect to value and loss, ordinances regulating construction, appraisal, salvage, etc., understand the importance of a non-waiver agreement and when it must be obtained, and understand how to avoid first party bad faith.

Course Index

1. Rights and Responsibilities of the Insured
2. Rights and Responsibilities of the Insurer
3. Interests of Third Parties
4. Subrogation

PROPERTY PROGRAM COURSES

#313 ARSON AND FRAUD (Required)

This course will enable the student to understand and apply the elements of arson and fraud and to determine the necessary proof for arson and fraud defenses without exposing the insurer to civil liability.

Course Index

1. Arson
2. Fraud
3. Common Issues in Arson and Fraud
4. Actions Against the Insurer

#314 HOMEOWNERS: PROPERTY COVERAGES (Elective)

This course will enable the student to understand judicial interpretations of Section I - Property Coverages under the Homeowners program including variations among the '76, '84, '91, and 2000 forms. Analyzes policy definitions and the insuring agreements. Discusses the various policy forms and perils covered. Treats all policy sections as well as key endorsements. Clarifies policy exclusions.

Course Index

1. Homeowners Policies
2. Property Insurance Coverages
3. Property Insurance Exclusions
4. Policy Conditions

#315 HOMEOWNERS: LIABILITY COVERAGES (Elective)

This course will enable the student to analyze the Homeowners Section II coverages, including liability and medical payments to others. Clarifies policy definitions, discusses the scope of coverage and explains the limitations on coverage, including exclusionary language. Emphasizes recent litigation on the intentional acts and business pursuits exclusions and analyzes the duty to defend.

Course Index

1. The Insuring Agreement
2. Section II – Exclusions
3. Additional Coverages
4. Conditions

#316 COMMERCIAL PROPERTY COVERAGE (Elective)

This course will enable the student to understand the many different commercial coverages available and to better evaluate claims arising under commercial property coverages.

Course Index

1. General Provisions
2. Covered Causes of Loss
3. Time Element Insurance
4. Reporting Form Insurance

PROPERTY PROGRAM COURSES

317 INLAND MARINE (Elective)

This course will enable the student to understand the origin and development of Inland Marine insurance and analyze the various coverages, including transportation, bailees' customers, personal and commercial floaters, dealers block and builders risk, focusing on issues in legal interpretation and application.

Course Index

1. Introduction
2. Transportation Coverages
3. Bailments and Warehouses
4. Dealers Block Policies
5. Builders Risk Insurance

#318 YACHT AND BOATOWNERS INSURANCE (Elective)

This course will enable the student to understand the laws surrounding boat ownership and operation, and the coverages available to protect against first and third party losses through the Yacht and Boatowners policies.

Course Index

1. Admiralty Law and Maritime Jurisdiction
2. Introduction to Marine Insurance
3. First Party Insurance
4. Third Party Insurance
5. Medical Payments
6. Workers' Compensation Insurance
7. Admiralty Law

WORKERS' COMPENSATION PROGRAM COURSES

*The **WORKERS' COMPENSATION PROGRAM** introduces the claims professional to the law of workers' compensation and then takes him or her through a detailed discussion of the most important aspects of workers' compensation necessary for effective handling of WC claims. Both the novice and the experienced adjuster will achieve a working knowledge of the WC/EL policy and obtain an understanding of how it has been interpreted in the courts.*

NOTE: All courses required for program completion.

#410 INTRODUCTION TO WORKERS' COMPENSATION: ORIGIN AND DEVELOPMENT

This course will enable the student to have a thorough understanding of the application of workers' compensation and identify those claims that are subject to the exclusive remedy of workers' compensation.

Course Index

1. Liability of the Employer
2. Modern Workers' Compensation Acts
3. Exclusive Remedy
4. Extraterritorial Effect

#411 THE EMPLOYMENT RELATIONSHIP IN WORKERS' COMPENSATION

This course will enable the student to determine which persons qualify for workers' compensation benefits and know how certain types of employees such as domestics and farm workers are treated under various state statutes. Statutory employers, independent contractors, partnerships, and the employment of minors are other issues analyzed.

Course Index

1. Elements of the Employment Relationship
2. The Employer
3. The Employee
4. Circumstances that Affect the Employment Relationship

#412 THE COURSE AND SCOPE OF EMPLOYMENT IN WORKERS' COMPENSATION

This course will enable the student to determine the compensability of a claim under workers' compensation law. Emphasis is placed on heavily litigated issues such as the dual purpose rule and the going and coming rule.

Course Index

1. Injuries
2. Work Relation

WORKERS' COMPENSATION PROGRAM COURSES

#413 WORKERS' COMPENSATION BENEFITS

This course will enable the student to understand how benefits are computed with reference to particular workers' compensation statutes and determine the amount of workers' compensation benefits due a claimant.

Course Index

1. Introduction
2. Medical Benefits
3. Disability Benefits
4. Death Benefits

#414 FEDERAL WORKERS' COMPENSATION LAW

This course will enable the student to determine the applicability of federal laws pertaining to workers' compensation, understand how federal statutes interact with state laws and with other federal laws, determine proper jurisdiction for any particular claim, and predict whether a claimant who has a federal remedy might also be entitled to an additional state recovery.

Course Index

1. Introduction
2. Sea-Based Maritime Employees
3. Land-Based Maritime Employees – The LHWCA
4. Extensions of LHWCA
5. Other Federal Compensation and Employee Protection Statutes

#415 WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY POLICY

This course will enable the student to understand the language of the Workers' Compensation and Employers' Liability Policy and its interpretation by the courts.

Course Index

1. Introduction
2. Information Page
3. General Section
4. Part One – Workers' Compensation Insurance
5. Part Two – Employers' Liability Insurance
6. Additional Coverage Parts
7. Endorsements

#416 PRACTICE AND PROCEDURES IN WORKERS' COMPENSATION

This course will enable the student to understand and apply the elements of claim investigation, settlement, negotiation, and hearing procedures in workers' compensation.

Course Index

1. Investigation
2. Defenses
3. Third Party Actions
4. Settlement
5. Hearings and Appeals

LAW OF CLAIMS FRAUD INVESTIGATION AND DEFENSE PROGRAM COURSES

*The **LAW OF CLAIMS FRAUD INVESTIGATION AND DEFENSE PROGRAM** is a comprehensive treatment of fraud as it relates to casualty, property, and workers' compensation claims. The program is essential for all claims professionals, fraud investigators, and special investigative unit personnel. It presents a well balanced approach between early fraud recognition, referral for special investigation, and understanding of insurance policy requirements in order to combat fraud effectively while, at the same time, honoring policy obligations.*

NOTE: All courses required for program completion.

#510 RECOGNIZING FRAUD

This course will enable the student to identify the fraudulent claim and begin to take the steps necessary to deal with it. The materials include a discussion of the elements of fraud, misrepresentation, concealment, false swearing, and arson. Different types of fraud are discussed, including padding, staged accidents, and other bogus claims. Resources such as fraud indicators and databases, available to assist in the identification process, are also covered.

Course Index

1. Introduction
2. The Insurance Contract and Insurance Fraud Law
3. Types of Fraud
4. Recognizing Fraud Potential

#511 SPECIAL INVESTIGATION

This course will enable the student to understand the role of the Special Investigative Unit (SIU) in dealing with fraudulent claims. Emphasis is placed on the legal limits of the SIU investigation as it relates to undercover operations, informants, entrapment, etc. Also discussed is the role of the SIU in obtaining commitment to the fraud, corroboration of it, and finally, confronting the insured or perpetrator to obtain the desired confession of fraud or, at least, withdrawal of the claim.

Course Index

1. Good Practices in Handling the Special Investigation
2. Special Investigation Techniques
3. Proactive Investigation and its Limits
4. Reporting

LAW OF CLAIMS FRAUD INVESTIGATION AND DEFENSE PROGRAM COURSES

#512 PROVING FRAUD

This course will enable the student to understand how to prove fraud legally. This, in turn, will enable the student to channel investigative efforts toward the legal proof that may eventually be required if litigation ensues. The discussion includes burden of proof, evidence of prior and subsequent incidents, constitutional issues involving the Fourth, Fifth and Sixth Amendments, and the effect of criminal proceedings on a civil action.

Course Index

1. Introduction
2. Hearsay
3. Discovery and Privilege
4. Constitutional and Criminal Law Issues

#513 HANDLING SUSPICIOUS CLAIMS: THE POLICY AND ITS REQUIREMENTS

This course will alert the student to key policy language and how it affects the investigation of a suspicious claim. First, the construction and application of the policy language is discussed. Next, specific policy provisions such as notice, proof of loss, and examination under oath are considered. Finally, the insurer's remedies are reviewed. These include rescission of the contract, denial of the claim, pursuit of restitution, and criminal sanctions.

Course Index

1. The Policy as Contract
2. Insurer's Duties
3. Policy Conditions
4. Remedies

#514 AVOIDING BAD FAITH AND CIVIL LIABILITY IN HANDLING SUSPICIOUS CLAIMS

This course will enable the student to understand how to avoid the imposition of liability during the investigation of fraudulent claims. First and third party bad faith is discussed. Other tort actions are also considered such as defamation, invasion of privacy, and malicious prosecution. Emphasis is on ways to pursue the fraud investigation while exercising good faith.

Course Index

1. The Cause of Action for Bad Faith
2. Exposure
3. Other Theories
4. Good Faith and Other Defenses

LAW OF CLAIMS FRAUD INVESTIGATION AND DEFENSE PROGRAM COURSES

#515 ADVANCED LEGAL ISSUES IN FRAUD INVESTIGATION AND DEFENSE

This course will further the student's understanding of legal issues relating to fraud investigation and defense, including the sharing of information with law enforcement and other insurers, investigation techniques geared to avoiding defamation and other torts, and understanding how legal rules such as hearsay and evidentiary privileges affect the usefulness of evidence that might ultimately be used in court to defeat fraudulent insurance claims.

Course Index

1. Managing Information to Avoid Defamation
2. Using Information
3. Reasonable and Effective Special Investigations

#516 AUTO INSURANCE FRAUD

This course, written by a special investigator who investigated suspicious automobile claims for over twenty years, will enable the student to identify most of the automobile insurance fraud schemes and scams currently being perpetrated, understand how they work and how to investigate and defend against them and those who seek to profit from them. The materials cover auto fires, auto theft, physical damage, and bodily injury claims. Many case examples of actual fraudulent schemes are included.

Course Index

1. Introduction to Auto Insurance Fraud
2. Auto Theft
3. Auto Fires
4. Auto Physical Damage Fraud
5. Auto Accidents and Bodily Injuries

LAW OF AUTOMOBILE CLAIMS AND COVERAGE PROGRAM COURSES

*The **LAW OF AUTOMOBILE CLAIMS AND COVERAGE PROGRAM** examines in detail the basis for liability and coverage in auto claims. Knowledge of these important topics is essential to any claims professional involved in auto claims, whether he or she deals with personal or commercial auto policies. The program addresses the interaction between the principles of law and the principles of coverage under the most common personal and business auto policies. The student will learn how legal liability and coverage disputes have been and are likely to be resolved in the courts.*

NOTE: For program completion all required courses and four electives must be taken.

#610 AUTOMOBILE INSURANCE PRINCIPLES (Required)

This course will enable the student to learn fundamental principles of automobile insurance, understand the importance of laws and statutes that may impact the interpretation of the policy, and begin to analyze legal issues that affect auto coverage. The student will become familiar with the different parts of the auto policy including those parts of the policy that address the handling of claims.

Course Index

1. Introduction
2. The Automobile Policies
3. Handling Auto Claims

#211 COMPARATIVE NEGLIGENCE, CONTRIBUTION AND SETTLEMENTS (Required)

This course will enable the student to analyze the various forms of comparative negligence and to apply comparative negligence principles on a state by state basis; understand the three theories of comparative negligence and their application to a dollar and cents evaluation of claims; and give consideration to the relationship of comparative negligence to products liability, subrogation, and other areas.

Course Index

1. Contributory and Comparative Negligence
2. Comparative Negligence Applied to Specific Types of Claims
3. Multiple Tortfeasors
4. Contribution, Indemnification, Judgments, and Settlements

NOTE: Credit will be given for this course if completed in the Liability Program.

#611 LAW OF AUTOMOBILES (Required)

This course will enable the student to apply common law and statutory law to determine automobile liability, including the rules of the road and how they apply to particular parties. The student will gain an understanding of how to approach the investigation and negotiation of auto claims.

Course Index

1. General Rules and Applicable Laws
2. Rules of the Road
3. Particular Parties, Special Situations
4. Defenses

LAW OF AUTOMOBILE CLAIMS AND COVERAGE PROGRAM COURSES

#612 LAW OF AUTOMOBILE INSURANCE: NO-FAULT AND MED PAY (Elective)

This course will enable the student to understand medical payments and no-fault coverages. The materials explain the insuring agreements, definitions, conditions, and exclusions for these coverages, including applicable statutes and case law. The materials also include a discussion of tort thresholds as an integral part of the no-fault concept.

Course Index

1. Medical Payments
2. No-Fault Automobile Insurance

#613 LAW OF AUTOMOBILE LIABILITY INSURANCE (Elective)

This course will enable the student to understand auto liability coverage and court interpretation of pertinent policy language. Heavily litigated issues such as the entitlement and household exclusions, “use” of an auto, and limits of liability are treated in detail. Completion of this course will enable the claims professional to deal with the issues critical to handling auto liability claims.

Course Index

1. Definition Section
2. Insuring Agreement
3. Exclusions
4. Miscellaneous Liability Provisions

#614 LAW OF AUTOMOBILE INSURANCE: UM and UIM (Elective)

This course will enable the student to examine auto uninsured and underinsured motorist coverage, including court interpretation of the policy language and pertinent statutes. The materials explain how it is determined whether an insured is entitled to uninsured or underinsured motorist coverage, as well as explaining reduction clauses, the issues that exist when coverage is provided under multiple policies, and dispute resolution.

Course Index

1. Coverage
2. Uninsured and Underinsured Motor Vehicle
3. Conditions and Exclusions
4. Limits of Liability and Other Insurance
5. Arbitration and Subrogation

#615 LAW OF AUTOMOBILE INSURANCE: FIRST PARTY PROPERTY DAMAGE (Elective)

This course will enable the student to understand collision and other than collision (comprehensive) coverage. The materials explain the pertinent insuring agreements, definitions, exclusions and conditions for these coverages, including applicable case law.

Course Index

1. The Insurance Contract
2. General Provisions
3. Exclusions
4. Loss Adjustment

LAW OF AUTOMOBILE CLAIMS AND COVERAGE PROGRAM COURSES

#616 LAW OF AUTOMOBILE INSURANCE: BUSINESS AUTO COVERAGE (Elective)

This course will enable the student to understand the liability and physical damage coverages contained in the Business Auto Policy, additional coverages available by endorsement, and courts' interpretations of pertinent policy provisions. The materials include discussion of important issues such as the various categories of covered autos, the insuring agreements, coverage exclusions, and conditions.

Course Index

1. Covered Autos
2. Liability Coverage
3. Liability Exclusions
4. Physical Damage Coverage
5. Conditions
6. Business Auto Endorsements

ADMINISTRATION

ENROLLMENTS

Enrollments may be submitted by using our Online Enrollment form at www.aeiclaimslaw.com, email, fax (908)766-9710 or by phone, using our toll free number, 800-631-8183.

After receipt of our textbook if you feel it does not satisfy your needs return it within 15 days for a full refund.

COURSES

AEI courses can be taken individually or as part of a program.

SCHEDULE

An examination due date schedule is furnished upon enrollment. Each program is scheduled for completion in eight months. Each individual course is scheduled for completion 60 days from enrollment date.

REPORTING

The progress of each student is reported monthly to his or her company. Grade transcripts are sent to each student upon completion of a program. Permanent student records are maintained by AEI. Student records are available anytime on our website. Simply click on the Student Center link, then Student Record and enter the student number and last name to view or print a transcript.

AWARDS

Designations are awarded upon completion of the respective programs.

CONVERSION

A student may convert from an individual course(s) basis to a full program by paying the full program tuition fee plus a Conversion Fee less a credit for the total tuition fee paid for each individual course.

SUBSTITUTIONS

We recognize that on occasion a student may enroll in a program and then decide to withdraw. We will permit a substitution to be made for the withdrawing student within one year from that student's enrollment date. A new schedule based on the date of substitution will be issued to the new student. No substitution will be allowed more than one year from the withdrawing student's enrollment date. See Other Fees for various fees pertaining to substitution.

EXTENSIONS

The schedule of examination due dates that is provided upon enrollment is expected to be followed. When circumstances arise that make compliance with those dates impossible, however, we will grant an extension of time to complete the courses if requested as long as the request is in accordance with the student's company policy.

AEI's full Program extension policy is to add six months onto the original due dates with no fee. If a student cannot complete by the extended completion date or has been dropped from the program, a fee is charged. The extension policy for an individual course is to add 60 days to the original due date. If, the student cannot complete by the extended date, or has been dropped from the course, then fees are charged.

ADMINISTRATION

REINSTATEMENTS

A student who is dropped from the program for failure to complete within the maximum extension period may be reinstated for a fee upon request. A new schedule allowing for a twelve month completion period will be given to the reinstated student. However, no extension will be permitted to a reinstated student.

HARD COPY BOOKS

AEI textbooks are not available by anyone other than a student who has completed the respective program or course, or a student who is currently enrolled in the program.

E-MAIL AND INTERNET

Comments and questions about AEI courses and programs can be directed to AEI by e-mail to aei@aeiclaimslaw.com. For new and updated information about AEI, check our website at www.aeiclaimslaw.com.

2018 FEE SCHEDULE

PROGRAM TUITION:

All programs are 7 courses

Legal Principles	\$975
Liability	\$975*
Property	\$975*
Workers' Compensation	\$975
Law of Claims Fraud Investigation And Defense	\$975
Law of Automobile Claims And Coverage	\$975**

* Includes three electives.

** Includes four electives.

Additional elective fee	\$100
-------------------------	-------

INDIVIDUAL COURSE FEE	\$180
------------------------------	--------------

HARD COPY BOOK(S) – Shipping Fee Full Set	\$30
Shipping Fee Individual Course	\$10

After receipt of our material if you feel it does not satisfy your needs please let us know within 15 days of enrollment for a full refund.

**If you have questions or need more information on any of our courses,
contact us: by phone at 1-800-631-8183, by fax at 908-766-9710,
by e-mail at aei@aeiclaimslaw.com, or visit our website at www.aeiclaimslaw.com.**

OTHER FEES

SUBSTITUTION - FULL PROGRAM

Substitutions made within six months of original enrollment: **No Substitution Fee.**

Substitutions made after six months of the original enrollment date but less than one year from original enrollment date: **\$50 Substitution Fee.**

If withdrawing student had any examinations graded, there is an additional **\$50 per Examination Fee.**

If substitute requires text book: **\$75 Book Fee** for set of Full Program books.

SUBSTITUTION - INDIVIDUAL COURSES

Substitutions made within two months of original enrollment: **No Fee.**

Substitutions made more than two months but less than six months from original enrollment: **\$25 Substitution Fee.**

If substitute requires text book: **\$15 Individual Book Fee**

EXTENSIONS AND REINSTATEMENTS

Full Program: No fee for an extension of six months added on to the original completion date.

If more time is needed or student was dropped from the program there is a **\$25 Administrative Fee** plus the difference between the original enrollment date tuition and the tuition at the extension request date. Student is given a year to complete the program.

Individual Course: No fee for a 60 day extension. If more time is needed or the student was dropped from the course there is a **\$25 Administrative Fee** plus the difference between the original enrollment date tuition and the tuition at the extension request date. Student is given 90 days to complete the course.

CONVERSION

A student may convert from an individual course(s) basis to a full Program by paying the current full Program tuition fee plus a **\$50 Conversion fee.** Credit will be given for individual courses that have been paid. Students must make the decision to convert to a full program by the time they enroll in the 6th individual course by calling the AEI office at 800-631-8183.

QUALIFYING EXAMINATION FOR LEGAL PRINCIPLES

\$150 Fee. Contact Jerry Chiara for details.