

CSR'S YOU ARE *only as good as* CSR'S Your File



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As you know from past loss control articles, I spent a former life as a CSR in a \$10mil agency in Utica, NY. I handled S – Z for personal, commercial, and claims.

a Actually it was there that I learned a lot about the business and what it took to be a good insurance professional and a good CSR in an agency. When I joined the company side a little over 5 years later, I thought that I had developed into a good CSR – I had a good start on knowing the technical side of the business and felt that my customer service skills were better than average. Fortunately or unfortunately, my opinion of my competency really didn't matter and probably to a large degree, my boss's opinion didn't matter much either. For when you look at a CSR (from an E&O standpoint), the most appropriate way to measure a CSR is by looking at your files. As the saying goes; "you are only as good as your file".

When your agency is involved in an E&O claim, the defense counsel that is assigned to represent you will ask for various pieces of documentation. In addition, there is also a very good chance that depositions of key agency personnel will be taken. It is fair to say that the defense of your agency and the success of trying to absolve your agency of any wrongdoing will largely hinge on the customer file, whether paper or electronic.

So let me ask you. You come to work in the morning and your boss calls you into his office and advises you that a customer that you are responsible for has brought a suit against the agency. They are alleging that you told them that they were bound for a specific coverage only to find out that the coverage was not in place. When the legal counsel assigned to your agency arrives to discuss the matter with you and asks for the file, how nervous do you get? Do you bring in a file that is neat and orderly with everything in its proper place? Are all documents in the file signed by the actual policyholder? Does the file contain the necessary documentation that demonstrates that you advised the client that a certain exposure was not covered by their current insurance program and that it was necessary to secure additional coverage? Will your file reflect documentation that clearly demonstrates that the insured rejected this offer to secure the necessary coverage? Or will they find a file that is disorderly with scraps of paper simply thrown in the file? Will there be some applications where the insured's

signature is really not the insured's signature? Will there be any documentation regarding the need for this additional coverage and if there is, will there be any evidence of what the final resolution was? If your file reflects the former and not the latter, you have a good chance in this matter. Oftentimes, the resolution of insurance disputes between the agency and the customer will be determined by good communication and good documentation. In fact recently I worked with one of Utica's quality counsel in Denver conducting some loss control seminars and he started out his part of the program yelling "Document, Document, Document, Communicate, Communicate, Communicate". It was very evident that he felt that good documentation and good communication make his job in defending the agency so much easier with an increased chance for a successful outcome. Take away good documentation and good communication and there is certainly the potential that the legal matter could get decided by hearsay...your word against the customers. What do you think your chances are of winning this? Saying it is 50/50 may be generous.

Since my years as a CSR, I have gained a tremendous amount of respect and admiration for the men and women that perform this role every day. It is not an easy job and there is no doubt that tremendous skill in time management and organization is necessary to be truly effective. But a good orderly well documented file is a possibility. A file that you would be proud of if it was ever called upon to represent the facts. A file that demonstrates that you are a professional and you take great pride in managing your work. Now if I could tell you which files were going to be involved in an E&O litigated matter, I am sure that you would make sure that those files met the necessary expectations. The probably is that I don't know and you don't know which of your files will be called upon. So it is important that they all meet the necessary expectations.

Sound like a pipe dream? Start today and take the necessary steps and actions to make sure that your files reflect the quality job you do. So when someone tells you that you are only as good as your file, you know that you will score an A+.