

NAPIA BULLETIN



National Association of Public Insurance Adjusters

Winter 2006



Brian Goodman (l) receives Person of the Year plaque from former president, Randy Goodman, SPPA (r).

Brian Goodman Named Person of the Year

Brian S. Goodman, chairman of the Litigation Department and member of Hodes, Ulman, Pessin & Katz, Maryland's seventh largest law firm, was named "Person of the Year" by the National Association of Public Insurance Adjusters (NAPIA). The award was presented on the evening of December 2, 2005, during the NAPIA Mid-Year meeting at the Four Seasons Hotel in Philadelphia, Pennsylvania.

Goodman, who serves as NAPIA's counsel, has been proactive in furthering the goals of the organization. Over the past year, he has worked closely with the Association leadership and the National Association of Insurance Commissioners (NAIC) to develop and enact the

Public Adjuster Model Licensing Bill. Additionally, Goodman played a significant role in the establishment of the Paul Cordish Memorial Award by working to create a competition at the University of Maryland School of Law. The award is presented to the student who prepares the best paper on an issue relevant to public insurance adjusting.

"It is an honor to receive this award," Goodman commented. "I am particularly honored to be recognized in a year when public adjusting has grown to a prominent position in this country, as evidenced by the work of the NAIC and NAPIA's activities assisting citizens in the Gulf States in the wake of Hurricane Katrina."

"The organization depends on Brian for many things," noted David Barrack, executive director of NAPIA. He continued, "From participating in monthly officers' conference calls to providing timely legal advice to answering questions from members and the press to contributing articles to our quarterly newsletter, he's had a positive impact on many levels."

The NAPIA Person of the Year Award is bestowed upon an individual who has made a significant contribution to the Association and/or the public adjusting profession.

West Coast Insurance Seminar Offers Four Credits for SPPAs & CPPAs

The National Association of Public Insurance Adjusters (NAPIA) and the California Association of Public Insurance Adjusters (CAPIA) are presenting a day of professional education for public adjusters and other insurance industry professionals on Wednesday, March 1, 2006, at the Marina del Rey Hotel in Marina del Rey (Los Angeles), California. Featured speakers and topics are:

- "Examinations Under

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NAPIA President's Message

by *W. Richard Burr, SPPA*

Needless to say the 2005-2006 NAPIA year has been anything but calm. The hurricane swept in major proposed changes to the laws affecting public adjusters in the Gulf States. The constant pressure applied by our attorney, Brian Goodman, and the enactment by the NAIC of the Model Public Adjuster Licensing Bill has put us in a position to now work for the benefit of the residents of these states. If you add in recent developments in Tennessee, the whole landscape of public adjusting is changing before our eyes.

Our forthcoming agreement with the American Institute for CPCU and the Insurance Institute of America will ensure that our professional certification program continues to be among the best in the country. This working relationship is another case of NAPIA being accepted as a leader in the insurance industry. Professional Certification Committee Chairman Steve Figlin, FPPA, SPPA, has dedicated many hours to guarantee that our SPPA and CPPA credentials will continue to exist and grow in recognition.

I look forward to seeing everyone in Bermuda at the 2006 Annual Meeting, and I again would like to thank all firms and individuals who have made financial contributions and taken an active role in strengthening NAPIA. Your diligent support is what keeps us viable.

Members & Friends Contribute to the Paul Cordish Memorial Fund

The Association would like to thank the following for their generous donation to the Paul Cordish Memorial Fund:

- Roberta and Bruce Swerling of Swerling Milton Winnick Public Insurance Adjusters, Inc. – for making a contribution in memory of William J. DePiano, Sr. (father of William DePiano, Jr. of DePiano & Todisco Adjusters, Inc.).

Contributions to the Paul Cordish Memorial Fund should be sent to NAPIA, 21165 Whitfield Place, #105, Potomac Falls, VA 20165. Checks should be made payable to NAPIA.



**A publication of the National Association of
Public Insurance Adjusters**

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NAPIA to Meet in Bermuda for 2006 Annual Meeting



The Wyndham Bermuda Resort & Spa features sparkling clear water and broad sandy beaches.

The 2006 NAPIA Annual Meeting will take place at the Wyndham Bermuda Resort and Spa in Southampton Beach, Bermuda. The June 21-24 (Wednesday through Saturday) convention features education seminars, business sessions and numerous social activities. Complete program and registration details will be avail-

able in March.

All SPPAs and CPPAs will earn a minimum of 4-1/2 hours of continuing education credit by attending this convention. NAPIA is also seeking approval from the various State Insurance Departments for a similar number of CEUs.

The Wyndham Bermuda Resort & Spa is located on Bermuda's south shore. The resort has recently completed an extensive renovation of the lobby and public spaces, restaurants and lounges, and all oceanfront guestrooms and junior suites. The property offers a majestic oceanfront setting with breathtaking views and 33 acres of picturesque landscaped grounds surrounding three natural bays in Southampton Parish. Long-time

NAPIA members may remember previous conventions held by the Association at the resort when it was a Sonesta property.

To reserve a room, call Wyndham Group Reservations at 800-556-0333, ext. 309 or call the resort directly at 441-238-8122 and ask for the NAPIA rate of \$295 per night. Information about the Wyndham Bermuda Resort & Spa is available online at www.wyndham.com/hotels/BDARS/main.wnt.

Flights to Bermuda are limited and June is high season on the island, so attendees are encouraged to make their travel arrangements soon. Please note that a valid passport is required for flights to and from the United States.

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NAPIA FUTURE EVENTS

2006 Annual Meeting
Wyndham Bermuda Resort & Spa
Southampton Beach
Southampton, Bermuda
June 21-24, 2006
(www.wyndham.com)

2006 Mid-Year Meeting
Ritz Carlton Hotel
San Francisco, CA
November 30 – December 2, 2006
(www.ritzcarlton.com)

2007 Annual Meeting
Hotel del Coronado
San Diego, CA
June 20-23, 2007
(www.hoteldel.com)

Counsel's Corner by Brian S. Goodman, Esq.

The post Katrina reverberations continue to keep NAPIA in the most active phase of licensing activity that I can ever remember. Right now, the Association is working with attorneys and public policy advisors in the States of Louisiana, Mississippi and Tennessee to obtain comprehensive licensing bills in those states. We have terrific people on the ground in the Gulf States and we are hopeful that licensing can and will be achieved. The recently passed NAIC Model Licensing Bill has served as a great positive force influencing the various State Insurance Departments to support this effort. You never know how this will all turn out in the legislatures, but we have an excellent chance to succeed. For now, let me caution every NAPIA member to abide by all rules and regulations promulgated for practice in those States. These

can be obtained through the Web sites of the Louisiana and Mississippi Insurance Departments.

Most State legislatures are now in session, and, while we try to stay on top of legislative issues relating to public adjusting, please keep me and NAPIA's Legislative Committee posted on any potential changes to the laws in your state. I know that some states are already thinking of adopting the NAIC Model, and we need to know of any bills introduced or considered in any particular state.

The first annual Paul Cordish Memorial Award contest is about to begin at the University of Maryland School of Law (my own alma mater), and the potential topics range from catastrophe-related issues to specific issues of policy interpretations. The winner will be presenting his or her paper at the NAPIA Annual Meeting in June,

and there is no better way than this to honor Paul's memory. Soon we will have a body of research regarding our profession that will serve us well for years to come.

On a personal note, I want to thank the entire Association for honoring me in December as the Person of the Year. NAPIA is much more than a client to me. I am proud to represent such a fine organization around the country. I have learned much about legislative and lobbying issues over the past four years, and it has been my honor to represent you all and to witness and assist in the growth of the public adjusting profession. We now have a "seat at the table," and this is due to the efforts of so many people. The award is the greatest honor of my professional life, and I will continue to do everything possible to merit your confidence and respect.

NAPIA Explores Bonding and E&O Insurance Options

Over the course of time, the cost and availability of Bonds and Professional Errors and Omissions Liability Insurance has been discussed among many NAPIA members. As such, the Association has begun looking at the various alternatives that exist today, whether it be a form of "self insurance" or some other mechanism that can respond to members' concerns.

Before moving any further, however, it is important to gauge the amount of genuine interest and/or need there is among the membership. Once known, it will be possible to explore the various options NAPIA has as an organization within the legal structure of the

insurance marketplace.

Enclosed with this newsletter is a CONFIDENTIAL questionnaire that has been developed specifically to extrapolate the data needed to make a decision. The general response will also reveal how much true interest there really is. The Association is working with Commercial Insurance Consultants, Inc. for this purpose. This firm does not sell insurance. Their work is completely independent from the sales side of the industry. Their job is to collect and review the information. Should NAPIA decide to move forward, it will be their responsibility to oversee the development of a program designed specifically for the Association and its members.

Please take a moment to complete and return the enclosed survey by February 27, 2006, to: Commercial Insurance Consultants, Inc., 5687 Main Street, Williamsville, NY 14221.

All information will be kept in strict confidence and used solely for the purpose of determining serious interest in a NAPIA sponsored self insurance program. Comments and suggestions are welcomed, and may be added on the lower half of the second page of the survey form. Questions should be addressed to Margaret Lampka of Commercial Insurance Consultants, Inc. who can be reached by phone at 716-632-4442 or via e-mail at mlampka@insconsultants.com.

Philadelphia Draws Large Turnout for Mid-Year Meeting

Over one hundred member public insurance adjusters and their guests ventured to Philadelphia for the December 1-3, 2005, NAPIA Mid-Year Meeting at the Four Seasons Hotel. Returning to the city and venue that hosted the 1996 winter convention, the Association was once again rewarded with an outstanding turnout.

Based on meeting survey results, the majority of attendees rated the location and hotel as "excellent" or "good." While each of the professional educational sessions received high marks, the compre-



Jonathan Wilkofsky, Esq. speaks on "Appraisal" while panel members Ethan Gross, J.D., Dick Tutwiler, CPCLU and Larry Fucinari, SPPA look on.

hensive program entitled "Appraisal," by Ethan Gross, J.D., Dick Tutwiler, C.P.C.L.U., and Jonathan Wilkofsky, Esq., was especially well received by attendees. Other informative seminars included "Look for Coverage," by Michael Quinn, Esq., and "Ethics" by Brian Goodman, Esq. Five hours of continuing education credit were awarded to all attending SPPAs and CPPAs. In addition, most State Insurance Departments granted up to five continuing education units (CEUs).

Another topic of special interest was Brian Goodman's

update on legislative matters in the Gulf States. He noted that great progress is being made toward licensing for PAs in the region.

The social events were also highly rated by survey respondents, although many requested that more social events be added to the agenda. The first evening's welcome reception, sponsored by CRS Temporary Housing, got the convention off to a great start with a 90-minute gathering for hors d'oeuvres, cocktails and networking. The NAPIA Person of the Year Award was given to Brian S. Goodman, Esq. at the second night's reception. Presenters of the Association's most prestigious award included Past President Randy Goodman, SPPA, and the recipient's daughter, Fallon Goodman. This event was sponsored by the Merlin Law Group, P.A. Other convention sponsors and exhibitors included Continental Restoration Consulting, FLIR, and Wilkofsky, Friedman, Karel & Cummins.

All survey respondents said they were satisfied with the overall organization of the 2005 Mid-Year Meeting and the 1-1/2 day format. Based on their experience, they also indicated that they would attend future Mid-Year Meetings.

When asked for topics to be presented at future conventions, suggestions included: "Coverage Issues," "Claims Issues," "Negotiating Skills," "Business Interruption," "Recent Case Law Updates," "Replacement Cost Holdback Monies on Building and Contents – What Qualifies," and "Appraisal."

Although the meeting survey did not ask if NAPIA should return to Philadelphia and the Four



NAPIA Past Presidents Jim Beneke, SPPA and Ron Papa, SPPA (l to r) enjoy networking at the 2005 Mid-Year Meeting Welcome Reception.

Seasons Hotel any time soon, it was clear from the tone of the comments provided that the answer would have been a resounding, "Yes!"

NAPIA Recognizes Mid-Year Meeting Sponsors & Exhibitors

The Association wishes to thank the following firms that participated as sponsors and/or exhibitors at the December 1-3, 2005, NAPIA Mid-Year Meeting at the Four Seasons Hotel in Philadelphia, PA:

Continental Machinery Company (Dallas, TX)

CRS Temporary Housing (Carlsbad, CA)

FLIR (N. Billerica, MA)

Merlin Law Group (Tampa, FL)

The American Institute for Chartered Property Casualty Underwriters and the Insurance Institute of America to Administer the NAPIA Certification Program

After a comprehensive search, the Association has secured a new administrator for the NAPIA Certification Program. Although it was challenging to find an independent source to handle the many tasks involved with administering the program, the Board of Directors recently agreed to contract with the American Institute for Chartered Property Casualty Underwriters (AICPCU) and the Insurance Institute of America (IIA). These independent, nonprofit organizations offer educational programs and professional certification to people in all segments of the property and liability insurance business.

The AICPCU/IIA also respond to the educational needs of individuals in insurance and risk

management to help them provide professional service to the public. A partnership with these established institutions is a significant step forward in the Association's efforts to expand recognition and acceptance of the NAPIA Certification Program by the insurance community in general.

Dr. Emmett Vaughan, the former administrator who passed away last year, was responsible for establishing the program criteria and developing all study materials as well as for preparing and grading the CPPA and SPPA exams.

It is projected that the administrative team will be in place prior to the June 21-24, 2006 NAPIA Annual Meeting in Bermuda. Because the material generally provided by AICPCU/IIA is a

good fit for public insurance adjusters, the program may be modified so that member and non-member public adjusters can take regularly scheduled exams at times and locations outside of the NAPIA Annual and Mid-Year Meetings. This flexibility will offer added convenience to members as they pursue their educational goals.

All public adjusters who do not currently hold a CPPA or SPPA designation, and who meet the requirements to take the certification examination, are encouraged to apply for the exam to be given in June. Exam criteria and applications for both exams can be obtained by contacting headquarters at 703-433-9217. The same material may be found online at www.napia.com/learn/certification.asp.

Continued from Page 1

- Oath," by Stephen Losh, Esq. of Beverly Hills Law Associates
- "Documenting the File: What's Too Much? What's Too Little? What'll They do to You Later?" by Joel Gumbiner, Esq. and Jack Eskridge, Esq. of Gumbiner & Eskridge LLP
- "Insurance Policy Appraisal Versus Mediation: Who, When, Why or Not," by Joel Gumbiner, Esq. and Jack Eskridge, Esq. of Gumbiner & Eskridge LLP
- "The Adjuster's Role in Cases That Seem Destined for Litigation – Planning Ahead to Avoid a Train Wreck," by H. Steven Schiffres, Esq. of

Rosoff, Schiffres & Barta

Attendees will have ample time throughout the day to compare notes and network with peers. All public adjusters, company adjusters, agents, brokers, attorneys and other insurance industry professionals are encouraged to attend.

This seminar provides four hours of continuing education credits for all SPPAs and CPPAs. Additionally, applications for CEUs with the State Insurance Departments of Florida, Massachusetts, New Hampshire, New York, North Carolina, Oklahoma, Texas, Utah and Wyoming are pending. The program, which includes a continental breakfast, lunch, refreshment breaks and handouts, runs from 9 am to

approximately 3:30 pm. Onsite registration opens at 8 am.

The Marina del Rey Hotel is conveniently located approximately five miles from the Los Angeles International Airport (LAX) and offers a complimentary shuttle service to and from the airport. For room reservations, call the hotel at 800-882-4000 or 310-301-1000 and ask for the NAPIA group rate of \$119 single/double. A first night's deposit will be required. The cut-off date for guaranteed room reservations is February 13, 2006.

For questions about the March 1 seminar, contact NAPIA by phone at 703-433-9217 or by e-mail at info@napia.com. Online registration is available at: www.napia.com/news/event-schedule.asp.

NAPIA Member News

With great regret, we announce the passings of **Victor Beard of Property Adjustments, Ltd.**, in Scottsdale, Arizona, and of **William DePiano, Sr.**, father of **William DePiano, Jr.** of **DePiano & Todisco Adjusters, Inc.**, in Wakefield, Massachusetts.

Richard P. Tutwiler has joined the staff of **Charles R. Tutwiler & Associates, Inc.**, in Tampa, Florida.

The Greenspan Company/AI, in South San Francisco, California, is pleased to announce the addition of

four new staff members – **Scott Margolin, Jessica Bivens, KC Cullum** and **Anthony Pastor**.

Nutmeg Adjusters Inc. in Bridgeport, Connecticut, has welcomed **John D. Cotter** to its staff.

Joseph Goldshear has joined the staff of **Main Line Adjustment Company**, in Lafayette Hill, Pennsylvania.

The Greenspan Company, in Encino, California, is pleased to announce the addition of **Anthony**

Gullifer to its staff.

Work is now underway on the 2006 NAPIA Membership Directory. Member update forms were recently e-mailed or faxed to all member firms. Please advise headquarters immediately of changes in personnel and office address information, including phone and fax numbers and e-mail and Web site addresses.

If you have member news that you would like to share, please send an e-mail to info@napia.com or fax your news to 703-433-0369.

Notice of Proposed Amendment to the NAPIA Constitution & Bylaws

The following Amendment to Article XI, Section 1 of the NAPIA Constitution & Bylaws will be voted upon by the membership during the June 21-24, 2006 Annual Meeting at the Wyndham Bermuda Resort and Spa in Southampton Beach, Bermuda. Please note that all proposed additions to Article XI, Section 1 are underlined. All *{deletions}* are italicized and bracketed.

ARTICLE XI BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of the President, the Chairman of the Board of Directors, all Vice Presidents, the Secretary, the Treasurer (collectively the "Officers") and nine (9) Additional Members *{whose duties shall be to supervise all affairs of the Association not assigned to a Committee, or that may be referred to it by the Association or its President}* of the Board. The *{Board*

of Directors} Additional Members of the Board consists of nine (9) members, three (3) of whom were elected for a term of one (1) year, three (3) of whom were elected for a term of two (2) years and three (3) of whom were elected for a term of three (3) years. At each Annual Meeting, Directors equal to the number of those Directors whose terms then expire, or previously expire for any reason, shall be elected, by ballot, for three (3) year terms. No Director shall be eligible for re-election as a Director for the first year immediately following the expiration of his term, but shall be eligible for election as a Director thereafter. No more than two persons enrolled in the same member firm of the Association shall serve on the Board of Directors at the same time. In the event that two persons enrolled in the same member firm serve on the Board of Directors at the same time, at no time shall both of the aforemen-

tioned persons be Officers at the same time. The Board's duties shall be to supervise all affairs of the Association not assigned to a Committee, or that may be referred to it by the Association or its President. Five (5) members of the Board of Directors shall constitute a quorum for the transaction of business and the Chairman of the Board of Directors shall preside as Chairman at all Meetings of the Board of Directors. The President elected at each Annual Meeting shall, without the requirement of being nominated and elected to such office, become Chairman of the Board of Directors for one (1) year immediately following the inception of his term as President beginning July 1 immediately following each Annual Meeting. *{The Board of Directors of the Association shall not, at the same time, include any two or more persons enrolled in the same member firm of the Association.}*

YOU HAVE FRIENDS ON THE MISSISSIPPI GULF COAST.

In 1985, Merlin Law Group Founder and Managing Partner William F. "Chip" Merlin, Jr. addressed the National Association of Public Insurance Adjusters at its Annual Convention in Carmel, California.

In the twenty years since, Merlin Law Group has proudly supported NAPIA and its membership.

We are now serving the Mississippi Gulf Coast with offices in Gulfport and Bay St. Louis, Mississippi. Contact any of our offices today. We look forward to continuing our work with NAPIA in Florida and now along the Gulf Coast. Please let us know how we can help.

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Named after William Goodman, the first president and founding father of the National Association of Public Insurance Adjusters, the Will Goodman Foundation was created to serve as a resource for the education and training of public insurance adjusters.

Contributions made in the name of a loved one or colleague will be acknowledged with a letter to the next of kin. Donations made for any reason are entirely tax deductible and are completely restricted for use as stated above. As 2006 begins and you are thinking about the many worthwhile causes for your contributing dollars, consider donating to the Will Goodman Foundation.

Checks should be made payable to The Will Goodman Foundation, and mailed to:

The Will Goodman Foundation
c/o NAPIA
21165 Whitfield Place, #105
Potomac Falls, VA 20165

To make a donation by credit card, call NAPIA at 703-433-9217.