



ARBITRATION FORUMS, INC.
Membership driven. Innovation focused.

Policy Limits in Total Recovery Solution® (TRS®) Hearings

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Policy Limits in TRS Hearings

Arbitration Forums, Inc. (AF) has introduced a number of changes to the Policy Limits functionality. These changes include the introduction of Split Policy Limits (Per-Person/Per-Incident Policy Limits) and the Combined Single Limits for PIP and Med Pay in 2020. More recently, AF has introduced the Paid, Unpaid, and Undetermined exposure functionality. In addition to this, AF will provide arbitrators the calculation and pro-rating functionality for Split Policy Limits.

The following guide will help arbitrators navigate these changes and optimally utilize TRS functionalities.

Policy Limits Findings

The Policy Limits Findings page is comprised of three sections or cards:

1. **The Evidence Card** – As the name suggests, this section contains the evidence attached by the party to the case. The arbitrator will be able to view and assess the attached evidence in this section before making a ruling on the Policy Limits amounts.
2. **The Policy Limits Amount Proven Card** – On this card, the arbitrator is required to determine the Policy Limits Amount that the party has proven. The arbitrator can either “confirm” or “adjust” the Policy Limits amount in this section or mark the Policy Limits as “not proven.” The arbitrator must explain the ruling in the Justification section should the Policy Limit amount be adjusted or not proven.
3. **The Exposure Rulings Card** – The Exposure Rulings card provides the arbitrator with a tabular view of the exposures claimed by the party to the case. The arbitrator is required to make a ruling on the exposures entered herein. These cards and their functions are displayed in detail below.

Policy Limits - PIP ?

ALPHA INSURANCE OF FLORIDA (LUKA CHUPI)

Combined Single Limit Amount: \$60,000.00

Evidence

No documents have been attached to this section.

Policy Limits Amount Proven

Confirm Combined Single Limit Amount of \$60,000.00
 Did Not Prove
 Adjust Policy Limit Type / Amount

Justification: Based on the evidence provided Alpha insurance has the Combined Single Limit of \$60,000.00

Exposure Rulings ? Show Details

Amount/Description	Proven Valid	Proven Paid Amount	Proven Unpaid Amount	Proven Undetermined	
* Amount: \$1,000.00 Paid test paid exposures	—	—	—	—	Review
* Amount: \$100.00 Unpaid Test unpaid exposures	—	—	—	—	Review
* Amount: Undetermined Test undetermined exposures	—	—	—	—	Review
Total: \$1,100.00	Total Proven:	\$0.00	\$0.00		

The Findings page sections are explained in detail below:

The Evidence Card

This card is the same for all Coverage Groups.

QTP ALPHA INSURANCE OF FLORIDA (CARTER CLYMER)

Liability Policy Limit Amount: \$500.00

Evidence

Evidence Types (show descriptions)

Photograph(s), Inter-Company Reimbursement Notification Form, Expert Report, Statement - Driver, Origin & Cause Report

Comment: This piece of evidence proves the Policy Limits Amount

[View All Evidence](#)

You can choose to view all evidence on the page with a single click

As an arbitrator, you can add a comment to the evidence that has been attached. This comment can help clarify the decision or ruling being made.

The Policy Limits Amount Proven Card

Collision Comp/OTC amount proven

- a. Confirm the Policy Limits available.

Policy Limits Amount Proven

Confirm Policy Limit Amount of \$10,000.00

Did Not Prove

Adjust Policy Limit Amount

Justification Evidence proving the policy limits has been attached

- b. Mark the Policy Limits as “not proven.”

Policy Limits Amount Proven

Confirm Policy Limit Amount of \$10,000.00

Did Not Prove

Adjust Policy Limit Amount

✓ Justification Evidence proving the policy limits has not been attached

- c. Adjust the Policy Limits Amount available. This amount can be greater or less than that of the Policy Limits entered by the party to the case.

Policy Limits Amount Proven

Confirm Policy Limit Amount of \$10,000.00

Did Not Prove

Adjust Policy Limit Amount

✓ Adjusted Policy Limit Amount: \$ 20,000.00

✓ Justification Policy Limits are greater than the amount of \$10,000.00 entered.

PIP and Med Pay Amount Proven

For PIP and Med Pay, the arbitrator can choose to accept the Policy Limit amount/s or adjust the amount or mark them unproven. When the arbitrator chooses to adjust the Policy Limits for PIP or Med Pay, the arbitrator can also change the Policy Limits Type. Therefore, if a policy is incorrectly marked as a Combined Single Limit Policy by the case party, the arbitrator can go in and mark this as a Split Policy

Limit type. When the arbitrator makes this change, the arbitrator is also required to enter the amount of the policy. If only the policy amount needs to be adjusted, the arbitrator does not need to change the Policy Limit Type.

a) Combined Single Limit

The screenshot shows the 'Policy Limits Amount Proven' form. At the top, it says 'Confirm Combined Single Limit Amount of \$50,000.00'. Below this are three radio button options: 'Confirm Combined Single Limit Amount of \$50,000.00', 'Did Not Prove', and 'Adjust Policy Limit Type / Amount'. The 'Adjust Policy Limit Type / Amount' option is selected and circled in green. Below these options are three radio button options for 'Policy Limit Type': 'Policy Limit Type' (checked), 'Per-Person/Per-Incident', and 'Combined Single Limit'. Below the 'Policy Limit Type' section is a text input field labeled '* Adjusted Combined Single Limit Amount:' which is also circled in green. Below that is a larger text area labeled '* Justification'. Two callout boxes with blue borders and white text point to the 'Adjust Policy Limit Type / Amount' option and the '* Adjusted Combined Single Limit Amount:' field, both containing the text 'The Policy Amount of Combined Single Limit can be adjusted'.

The Combined Single Limit Policy Limits will determine the total Policy Limits available for the party.

b) Per-Person/Per-Incident Policy Limits (Split Policy Limits)

The Per-Person/Per-Incident Policy Limits requires the arbitrator to confirm both the Per-Person Policy Limits, as well as the Per-Incident Policy Limits. When adjusted, either or both of these limits can be changed. The Policy Limits can be adjusted to Combined Single Limit when the Policy Limit Type has been incorrectly entered.

The screenshot shows the 'Policy Limits Amount Proven' form. At the top, it says 'Confirm Per-Person/Per-Incident Amounts of \$25,000.00 / \$50,000.00'. Below this are three radio button options: 'Confirm Per-Person/Per-Incident Amounts of \$25,000.00 / \$50,000.00', 'Did Not Prove', and 'Adjust Policy Limit Type / Amount'. The 'Confirm Per-Person/Per-Incident Amounts of \$25,000.00 / \$50,000.00' option is selected and circled in purple. Below these options is a text input field labeled 'Justification'. The justification field contains the text 'The evidence attached proves the Per-Person/Per-Incident Amounts of \$25,000.00 / \$50,000.00'.

Policy Limits Amount Proven

Confirm Per-Person/Per-Incident Amounts of \$25,000.00 / \$50,000.00
 Did Not Prove
 Adjust Policy Limit Type / Amount

Policy Limit Type
 Per-Person/Per-Incident
 Combined Single Limit

Adjusted Per-Person Policy Limit Amount \$ 10,000.00
 Adjusted Per-Incident Policy Limit Amount \$ 30,000.00

Justification The evidence attached proves the Per-Person/Per-Incident Amounts of \$10,000.00 / \$30,000.00

Changed Per-Person and Per-Incident amounts to \$10,000.00/\$30,000.00

The Exposures Ruling Section

Exposures entered by the case party must be reviewed by the arbitrator. The arbitrator makes a ruling as to the type and amounts of these exposures. These ruled upon exposures are now Proven Exposures. The arbitrator can view the exposure description along with any other values related to the exposures in the Exposure Ruling table. Each exposure can be viewed in detail by clicking on the Show Details button. In order to rule on the exposure, the arbitrator must select the review button. This will open the Exposures modal window.

Exposure Rulings ?

Show Details

Amount/Description	Proven Valid	Proven Paid Amount	Proven Unpaid Amount	Proven Undetermined	Review
* Amount: \$1,000.00 Paid test paid exposures	—	—	—	—	Review
* Amount: \$100.00 Unpaid Test unpaid exposures	—	—	—	—	Review
* Amount: Undetermined Test undetermined exposures	—	—	—	—	Review
Total: \$1,100.00	Total Proven:	\$0.00	\$0.00		

Exposures in TRS can be of three types:

- Paid Exposures** – Proven Paid exposures directly impact the Policy Limits available for the case. These exposures are automatically deducted from the Proven Policy Limits available on the case and can cause a party to be marked as “Out-of-Jurisdiction” (OOJ) by the TRS system. This occurs when the Proven Paid Exposures exceed the Policy Limits available for the incident or the feature.
- Unpaid Exposures** – Unpaid exposures are exposures that have not been paid. These exposures result in the OOJ statement being displayed on the Policy Limits worksheet. The arbitrator must make a decision if these unpaid exposures put a party or feature OOJ.

- c) **Undetermined Exposures** – Undetermined exposures are exposures that have not been quantified. These exposures result in the OoJ statement being displayed on the Policy Limits worksheet. The arbitrator must make a decision if these undetermined exposures put a party or feature OoJ.

Exposures Ruling Modal:

The screenshot shows a web-based modal titled "Exposure Ruling". It is divided into two main sections. The top section, titled "Exposure Information - ALPHA INSURANCE OF FLORIDA (LUKA CHUPI)", contains the following details: Amount: \$1,000.00, Payment Status: Paid, and Description: test paid exposures. A red oval highlights this information, with a callout box labeled "Exposure Information". The bottom section, titled "Exposure Ruling", contains a question: "* Is this a valid exposure?" with radio buttons for "Yes" and "No". Below this is a light blue informational box stating: "A valid exposure is for payments to parties outside of arbitration and is not for damages being recovered in this decision or prior payments made to recovering parties in this decision." A red oval highlights the question and options, with a callout box stating "Arbitrator must rule on the validity of the exposure". Below the informational box is a label "* Justification" followed by a large empty text area. A callout box labeled "Justification is required" points to this text area. At the bottom right of the modal are "Cancel" and "Save" buttons.

Once the arbitrator rules an exposure to be valid, the Ruling section of the modal is displayed. If an exposure is ruled as invalid, the arbitrator will be required to enter a justification for his or her ruling. As part of the ruling, the arbitrator is also required to allocate the exposure to the feature with which it is associated. This can be done by selecting and clicking the “Allocate” button on the Exposure Ruling modal.

Exposure Ruling

Exposure Information - ALPHA INSURANCE OF FLORIDA (LUKA CHUPI)

Amount: \$1,000.00
 Payment Status: Paid
 Description: test paid exposures

Exposure Ruling

Is this a valid exposure? Yes No
A valid exposure is for payments to parties outside of arbitration and is not for damages being recovered by recovering parties.

Ruling Amount

Total Exposure Amount \$600.00	Paid Amount \$ 500.00	Unpaid Amount \$ 100.00	Undetermined ? <input checked="" type="checkbox"/> Yes
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If any amounts belong to specific features, click the "Allocate" button above and select a feature to enter the appropriate allocations.

Justification

Paid and unpaid amount of \$600.00 was proven but the rest remains undetermined at this time

In order to allocate Policy Limits to a feature, click on the “Allocate” button and pick the feature you would like to associate with the amount.

Exposure Ruling

Exposure Information - ALPHA INSURANCE OF FLORIDA (LUKA CHUPI)

Amount: \$1,000.00
 Payment Status: Paid
 Description: test paid exposures

Exposure Ruling

✓ Is this a valid exposure? Yes No
A valid exposure is for payments to parties outside of arbitration and is not for damages being recovered in this decision or prior payments made to recovering parties in this decision.

✓ Ruling Amount

Total Exposure Amount	Paid Amount	Unpaid Amount	Undetermined ?
\$600.00 ← Allocate	<input type="text" value="\$ 500.00"/>	<input type="text" value="\$ 100.00"/>	<input checked="" type="checkbox"/> Yes

If any amount is allocated to a feature, you must enter the appropriate allocations.

- VISH WANG - GOVT - GOVERNMENT EMPLOYEES INSURANCE C (DEV ENDRA)
- DE SAI - GOVT - GOVERNMENT EMPLOYEES INSURANCE C (DEV ENDRA)

✓ Justification

Paid and unpaid amount of \$600.00 was proven but the rest remains undetermined at this time

Cancel
Save

The feature allocations can then be made in the Feature Allocations section of the modal. For Split Policy Limits, allocating exposure amounts to features on the modal will result in the amounts being apportioned toward the Per-Person Policy Limit for that feature.

Exposure Ruling

Exposure Ruling

✓ Is this a valid exposure? Yes No
 A valid exposure is for payments to parties outside of arbitration and is not for damages being recovered in this decision or prior payments made to recovering parties in this decision.

✓ Ruling Amount

Total Exposure Amount \$600.00

Paid Amount \$ 500.00 Unpaid Amount \$ 100.00 Undetermined Yes

✓ Feature Allocations

Feature	Paid Amount	Unpaid Amount	Undetermined
VISH WANG - INSURANCE C (DEV ENDRA)	\$ 500.00		<input type="checkbox"/> Yes
DE SAI - INSURANCE C (DEV ENDRA)		\$ 100.00	<input checked="" type="checkbox"/> Yes
Total	\$500.00	\$100.00	

✓ Justification

Paid and unpaid amount of \$600.00 was proven but the rest remains undetermined at this time

Exposures from Prior Awards

For any subsequent decision on a filing, Exposures from Prior Awards are displayed above the current exposures on the case.

Policy Limits Amount Proven

Proven Policy Limit Type: Per-Person/Per-Incident
 Proven Per-Person Policy Limit Amount: \$35,000.00
 Proven Per-Incident Policy Limit Amount: \$100,000.00
 Justification: Test

Exposure Rulings Show Details

Exposures From Prior Awards

Description	Amount	Payment Status
MARTHA COOPER - ALPHA INSURANCE OF FLORIDA (STEPHEN PENA)	\$21,099.20	Proven
CAROLINE BARNES - ALPHA INSURANCE OF FLORIDA (STEPHEN PENA)	\$31,259.66	Proven
PATRICK COSTELLO - [REDACTED]	\$35,000.00	Proven

Amount/Description	Proven Valid	Proven Paid Amount	Proven Unpaid Amount	Proven Undetermined	
✓ Amount: \$20,000.00 Paid Paid feature	Yes	\$2,000.00	\$0.10	No	Review
✓ Amount: \$500.00 Paid Additional paid exposure	No	—	—	—	Review
✓ Amount: \$30,000.00 Unpaid Unpaid exposure	No	—	—	—	Review
Total: \$50,500.00	Total Proven:	\$2,000.00	\$0.10		

Policy Limits Worksheet

The Policy Limits worksheet for PIP and Med Pay will identify the Policy Limit Type. The arbitrator will be able to review the Policy Limit information on this worksheet.

There is a separate worksheet for each party to the case. The Policy Type, Policy Limits Balance Remaining for current decision, the Net Remaining Policy Limits balances and exposures are displayed on the worksheet.

When there are unpaid or undetermined exposures associated with a case, the arbitrator can assess these exposures and then determine whether they would put a party OoJ. The OoJ statement will display to the arbitrator in these instances so that a ruling can be made. Paid Exposures are deducted from Proven Policy Limits to calculate the remaining Policy Limits.

Policy Limit Worksheet - PIP - ALPHA INSURANCE OF FLORIDA (LUKA CHUPI)

Policy Limit Type: Combined Single Limit

Proven Combined Single Limit Amount	\$100,000.00
Previously Paid Exposures	\$500.00 Details
Policy Limit Balance Remaining for Current Decision	\$99,500.00
Known Exposures - Proven in Current Decision	\$21,057.75 Details
Net Remaining Policy Limit Balance	\$78,442.25

Unpaid/Undetermined Exposures

Description	Proven Amount
test paid exposures	\$100.00
Test unpaid exposures	\$100.00
test paid exposures	Undetermined
Test undetermined exposures	Undetermined
Total	\$200.00

* Do these exposures put ALPHA INSURANCE OF FLORIDA (LUKA CHUPI) out of jurisdiction for this case? Yes No

* Justification

The OoJ statement is displayed when there is an Unpaid or Undetermined exposure associated with the case

When the sum of exposures can put a party or feature OoJ and there are Unpaid or Undetermined exposures available on the case, the arbitrator will be able to view a cautionary message in the OoJ section of the worksheet.

! If the party remains in jurisdiction, the sum of the exposures will reach or exceed the remaining balance left after the current decision.

✓ Do these exposures put BETA INSURANCE OF COLORADO (STEVEN JONES) out of jurisdiction for this feature? Yes No

✓ Justification

Policy Limit Distribution

The Policy Limit Distribution section on the Policy Limits worklist outlines the way the Policy Limits have been distributed across the parties and pro-rata adjustments, if any.

The arbitrator can click on the “Show Detail” button to view the details of the Policy Limit distribution.

This section is comprised of the Recovering Party name with the Exposures Proven in Current Decision along with the recoverable amount for the party or feature. When the arbitrator expands this section, the Exposure information and pro-rata distributions and adjustments can be viewed in detail.

Evidence

No documents have been attached to this section.

Policy Limits Acceptance

Recovering Party	Accepts Policy Limits	Accepts Pro-Rata	Accepts Remaining Balance	Agrees to reimburse their insured
ALPHA INSURANCE OF FLORIDA (LANCE SMITH)	Yes	Yes	Yes	Yes

Policy Limit Distribution

Recovering Party	Exposures Proven in Current Decision	Recoverable Amount
2018 FORD — ALPHA INSURANCE OF FLORIDA (LANCE SMITH)	\$22,262.26	\$20,000.00
Total	\$22,262.26	\$20,000.00

The detail view for the Policy Limits gives the arbitrator a view of the system calculations behind the Policy Limit decisions and award amounts.

Policy Limit Distribution

Recovering Party	Total Exposures in Arbitration	Share of Total Exposures in Arbitration	Pro-Rata Distribution	Previous Proven/Paid Exposures	Pro-Rata Available Amount	Paid Exposures in Current Decision	Pro-Rata Adjustments	Recoverable Amount
2018 FORD — ALPHA INSURANCE OF FLORIDA (LANCE SMITH)	\$22,262.26	100%	\$20,000.00	\$0.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00
Total	\$22,262.26	100%	\$20,000.00		\$20,000.00			\$20,000.00

Calculated Split Policy Limits

Split Policy Limits have to be manually calculated by the arbitrator in TRS. As of November 20, 2021, arbitrators will be provided with system calculations for Split Policy Limits. These calculations will consider both the Incident Policy Limits as well as Per-Person Policy Limits to calculate the amount available to be disbursed. Incident and Per-Person limits will be automatically applied to the award amounts along with the pro-rating of the awards, where applicable.

For Split Policy Limits, the worksheet is split into Incident Policy Limits and Per-Person Policy Limits.

- When Incident Policy Limits are exceeded or when Unpaid or Undetermined exposures exist for the Incident Policy Limits, the party can be OOJ.
- When Per-Person Policy Limits (i.e., feature-level Policy Limits) are exceeded or when Unpaid or Undetermined exposures exist for a feature, the feature can be ruled OOJ.

Incident Policy Limits

Proven Per-Incident Policy Limit Amount	\$50,000.00	
Previously Paid Exposures ?	\$2,414.11	Details
Policy Limit Balance Remaining for Current Decision	\$47,585.89	
Known Exposures - Proven in Current Decision ?	\$25,795.45	Details
Net Remaining Policy Limit Balance	—	

View details of the exposures by clicking on the 'Details' hyperlink

Unpaid/Undetermined Exposures

Description	Proven Amount
undetermined exposure	\$1,000.00
undetermined exposure	Undetermined
Total	\$1,000.00

Party OOJ at Incident level

Do these exposures put BETA INSURANCE OF COLORADO (STEVEN JONES) out of jurisdiction for this case?
 Yes No

Justification
 Testing

Per-Person Policy Limits - KELLY GOLDEN - ALPHA INSURANCE OF FLORIDA (KEVIN JONES)

Proven Per-Person Policy Limit Amount	\$20,000.00
Previously Paid Exposures	\$2,414.11 Details
Policy Limit Balance Remaining for Current Decision	\$17,585.89
Known Exposures - Proven in Current Decision	\$25,795.45 Details
Net Remaining Policy Limit Balance	\$0.00

Unpaid/Undetermined Exposures

Description	Proven Amount
undetermined exposure	\$1,000.00
Total	\$1,000.00

Feature level cautionary message

OOJ for the feature

Do these exposures put BETA INSURANCE OF COLORADO (STEVEN JONES) out of jurisdiction for this feature? Yes No

Justification: testing...

For Split Policy Limits, the arbitrator can view the exposure decision as well as calculated Policy Limits Distribution on the Policy Limit worksheet.

Unpaid/Undetermined Exposures Bar Recovery Save & Refresh

Ruling unpaid/undetermined exposures put a party OoJ for features may cause the total amounts to exceed the incident limits. In this case, recovery is not allowed from this party for any features in this decision.

Is recovery barred? [No](#) [Details](#)

Incident Policy Limit	\$60,000.00
Amount Towards Incident Limit	\$20,000.00

Feature/Description	Total Exposures	Ruled OoJ for Unpaid/Undetermined Exposures	Amount Towards Incident Limit
Proven Paid Incident Exposures Outside Arbitration	\$0.00	—	\$0.00
KELLY GOLDEN - ALPHA INSURANCE OF FLORIDA (KEVIN JONES)	\$28,209.56	No	\$20,000.00
Totals	—	—	\$20,000.00

Policy Limit Distribution Hide Detail

Recovering Party	Total Exposures in Arbitration	Share of Total Exposures in Arbitration	Pro-Rata Distribution	Previous Proven/Paid Exposures	Pro-Rata Available Amount	Paid Exposures in Current Decision	Pro-Rata Adjustments	Recoverable Amount
KELLY GOLDEN — ALPHA INSURANCE OF FLORIDA (KEVIN JONES)	\$28,209.56	100%	\$28,209.56	\$2,414.11	\$17,585.89	\$750.57	\$0.00	\$17,585.89
Total	\$28,209.56	100%	\$28,209.56	\$2,414.11	\$17,585.89	\$750.57		\$17,585.89

As always, the awards on a case can be modified on the Award Summary page for all parties and features that are in jurisdiction.

PIP - KELLY GOLDEN
ALPHA INSURANCE OF FLORIDA (KEVIN JONES) Claim Number: JC-202111111538-ALPHA

Injured Party Status: Driver

Award Allocation	Recoverable Amount	Proven Payments	Award Owed [?]
BETA INSURANCE OF COLORADO (STEVEN JONES), 90% Liable Policy Limits: \$20,000.00 / \$60,000.00	\$ 17,585.89	\$750.57	\$16,835.32 Policy Limits
Company Totals	\$17,585.89	\$750.57	\$16,835.32

✓ Justification