



Professional Photographers
of America

**“Indemnification Trust: What You Need to Know”
Questions & Answers**

Coverage

Q: Where can I find additional details about what is and isn't covered?

A: To find out if an incident is covered by the Trust you can consult the Trust Declaration found in the Resources section at www.ppa.com. A list of limitations is found in Section 3 and a list of exclusions is found in Section 7. Don't however let these lists deter you from filing a report.

When in doubt, the easiest thing to do is to contact PPA's Customer Service Center at 800-786-6277 and ask about filing a Trust report. The Customer Service Representative will help connect you with the most appropriate resource to help you resolve the issue.

Q: Can the Trust be used for a recent past matter regarding a drive that had to be restored for two weddings? This drive had only been backed up once.

A: The Trust can work with you with regards to data loss recovery. As soon as you are aware you have suffered the loss of image files, contact PPA immediately to make a report. Remember that the Trust Declaration Agreement requires you work closely with the program's attorney to reach a resolution. This applies to data loss incidents just as it does a possible legal battle.

Q: Is there a more comprehensive profile of the Indemnification Trust program we can download or view online?

A: Yes. Below you will find links to the different resources available to help you navigate the Trust.

- The *Quick Guide to the Indemnification Trust Program* at <http://www.ppa.com/articles/225/Indemnification-Trust-Quick-Guide.php>.
- The complete *2010 Trust Agreement* is available at <http://www.ppa.com/articles/302/Indemnification-Trust-Agreement.php>. Remember this document is updated annually each January.
- Read the Vital Signs article titled *Understanding the Protection Puzzle* at <http://www.ppa.com/articles/226/Vital-Signs-Understand-the-Protection-Puzzle.php>

You will need to ensure you have logged in at www.ppa.com to view these pages.



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Insurance

Q: Does the Trust take the place of other insurance programs?

A: No. Participating in the Indemnification Trust Program is just one way to protect yourself and your business. In addition to participating in the Trust you should also consider carrying Business Liability Insurance and Equipment Insurance.

Q: Does my homeowner's insurance usually cover lost or stolen equipment?

A: If you run a home-based business it is possible your homeowner's policy contains a provision that will cover equipment associated with your business. It is not however a good substitute for a more comprehensive equipment insurance policy. A homeowner's policy often only covers equipment when in use on your property; this means that if you are on location and you drop your camera you may not be eligible to file an insurance claim. These similar restrictions may also apply to automotive insurance policies.

Q: Where can I find information on PPAs equipment coverage?

A: Visit the "Using Your Benefits" page under the Benefits Tab at www.ppa.com. Here you will find a link to the PPA dedicated webpage for Marsh. You can follow the steps on this site to get a quote on coverage or call 800-588-7518 for more information.

Participation

Q: If I use the Indemnification Trust do I pay \$50 per year plus an additional \$200 deductible each time I access it?

A: Every member that participates in the Trust must pay the annual \$50 participation fee. If you recall, this fee is automatically included in the cost of your membership. The \$200 deductible is only paid if the program must issue a reimbursement or settlement payment on your behalf. For example, if while working with the Trust a judge requires you to pay a \$500 settlement to your client the first \$200 would be your responsibility and the Trust would reimburse you for the remaining \$300. If, on the other hand, you are able to resolve the matter to the client's satisfaction without any exchange of money or payments for services then your financial commitment is \$0.



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Q: Are my assistants covered if they mess up on my assignment?

A: Only the participating member, not the studio, is covered by the Trust. This means that if your assistants are PPA members who participate in the Trust then they may report the incident to the Trust and get coverage under their membership.

If instead your assistant is working along side you to deliver an assignment to your client (say working as a second shooter or assisting in post-production work) then you may report the incident since the client will look to you as the responsible party.

Q: How can we be sure the \$50 participation fee will never be increased?

A: The Trust participation fee is paid into the Indemnification Trust fund. This fund is closely monitored and securely invested to ensure funds are available to all participating PPA members. It is because of this that we don't envision increasing participation fees. We traditionally refer to the lack of a participation fee increase as a means of drawing a parallel to Errors and Omissions or Professional Liability policies which may incur rate changes if or when you access your coverage.

Using the Trust

Q: If I need to access the trust, will I meet the attorney handling the problem?

A: After contacting Customer Service to make a report, you will begin working with both Melanie Housworth and Stephen Morris of Meadows & Macie, P.C., an Atlanta-based law firm that handles the Indemnification Trust Program. Since members are spread all across the country it is not likely you'll meet face to face with either of them. Of course, if your situation warrants legal representation you will be paired up with an attorney near you that will work with yourself and Stephen Morris to resolve the issue.

Q: Do you have any practical advice for when a studio should seek assistance from the Trust rather than try and resolve the issue on the studio's own?

A: Whenever a client raises a "red flag" the best thing you can do is contact PPA. Customer Service Representatives can point you to an online resource for some general guidance or can connect with Meadows & Macie for assistance via the Trust. Remember that even though the Trust is administered by a law firm our first step is not to rush you off to the courthouse. Many of the issues reported to the Trust can be resolved without ever setting foot in court.