

2024 ACEC Professional Liability Insurance Survey of Member Firms

Start of Block: ACEC PLI Member Firm Default Block

Intro Welcome to the ACEC Professional Liability Insurance Survey of Member Firms

Thank you for taking this time to participate in the 2024 ACEC Professional Liability Insurance Survey of Member Firms for FY 2023. This survey is only requesting responses from A/E member firms of ACEC. If your firm is not an A/E member of ACEC, please do not take this survey. The deadline for submissions is **Friday, April 26**.

It is critical that we receive only one set of survey responses from each member firm. Therefore, we ask that only the key principal, risk manager, or another member of the firm designated by the key principal fill out this survey.

A feature article on the survey results will appear in an upcoming edition of Engineering Inc. A spreadsheet of the survey's results will also be posted on the ACEC website in summer 2024. Upon completion of the survey, you will have an opportunity to download a PDF of your responses for your records. If you have any questions about the survey, please contact Charles Kim at ckim@acec.org or (202) 682-4344.

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Q1 Your Firm

I certify that my firm is an A/E member firm of ACEC and therefore eligible to take part in this survey.

Checking this box signifies your agreement with the statement above. (1)

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Q2 What are your firm's fields of practice? Check all that apply.

- Architectural (1)
- Building Commissioning (4)
- Civil / General (Including Transportation) (5)
- Construction Engineering & Inspection (6)
- Construction Management (7)
- Electrical (8)
- Energy / Industrial (9)
- Environmental (10)
- Geotechnical (11)
- Lab Testing (12)
- Landscape Architecture (13)
- Mechanical / HVAC (14)
- Planning (15)
- Process (16)
- Structural (17)
- SUE-Subsurface Utility Locating (18)
- Surveying (19)
- Water / Wastewater (20)

Other (please specify) (21)



Q3 If 50% or more of your firm's gross revenue comes from one field of practice, check that field below.

- Architectural (1)
 - Building Commissioning (4)
 - Civil / General (Including Transportation) (5)
 - Construction Engineering & Inspection (6)
 - Construction Management (7)
 - Electrical (8)
 - Energy / Industrial (9)
 - Environmental (10)
 - Geotechnical (11)
 - Lab Testing (12)
 - Landscape Architecture (13)
 - Mechanical / HVAC (14)
 - Planning (15)
 - Process (16)
 - Structural (17)
 - SUE-Subsurface Utility Locating (18)
 - Surveying (19)
 - Water / Wastewater (20)
 - Other (please specify) (21)
-
- My firm does not reach 50% in any one discipline or field (22)

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Q4 What is the annual gross revenue of your firm?

- \$1 million to \$2.49 million (5)
- \$2.5 million to \$4.99 million (6)
- \$5.0 million to \$7.49 million (7)
- \$7.5 million to \$9.99 million (8)
- \$10 million to \$19.99 million (9)
- \$20 million to \$49.99 million (10)
- \$50 million to \$99.99 million (11)
- \$100 million to to \$249.99 million (12)
- \$250 million or more (13)

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Q5 How has your firm's annual gross revenue changed in the past year?

- Up more than 50% (1)
- Up 30% - 50% (4)
- Up 20% - 29% (5)
- Up 10% - 19% (6)
- Up 5% - 9% (7)
- Up 1% - 4% (8)
- Little or no change from last year (9)
- Down 1% - 4% (10)
- Down 5% - 9% (11)
- Down 10% - 19% (12)
- Down 20% - 29% (13)
- Down 30% - 50% (14)
- Down more than 50% (15)

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Q6 Who has the primary responsibility for risk management in your firm?

- In-House Counsel (1)
 - Full Time Risk Manager (4)
 - Principal(s) tasked with this responsibility as needed (less than full time) (5)
 - CEO / President / COO (6)
 - CFO / Controller (7)
 - Other (please specify) (8)
-

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Q7

Insurance Carriers and Brokers

Does your firm carry professional liability insurance (PLI)?

- Yes (1)
- No (2)

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Q8 Who is your primary professional liability insurance carrier? Please select only one.

- AIG / Lexington / New Hampshire Insurance (1)
- Arch / PUA (4)
- Argo Pro (5)
- Arrowhead / American Alternative Insurance Co. (6)
- AXA XL (7)
- AXIS (8)
- Beazley (9)
- Berkley Design Professional (10)
- Berkshire Hathaway Specialty Insurance (29)
- Chubb / ACE American Insurance Co. (11)
- CNA / Schinnerer; Continental Casualty; Columbia Casualty; Victor (12)
- Endurance American (13)
- Great American (14)
- Hanover (15)
- HCC; Houston Casualty; US Specialty Insurance (16)
- Hiscox (17)
- Liberty Underwriters / Ironshore (18)
- Lloyds of London (19)
- Markel / Evanston / Alterra (20)
- Navigators / The Hartford (21)
- One Beacon (22)

- RLI (23)
 - Starr (24)
 - Terra Insurance (25)
 - Travelers (26)
 - Zurich / Steadfast Insurance (27)
 - Other (please specify) (28)
-

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Q8a Does your firm participate in either a solo captive or group captive for PLI insurance?

- Yes (1)
 - No (2)
-

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Q9 Rate your satisfaction with your professional liability insurance **CARRIER'S PRE-CLAIMS ASSISTANCE** (including the carrier's ability to assist with the pre-claim process).

- Very Satisfied (1)
- Satisfied (4)
- Somewhat Satisfied (5)
- Not Very Satisfied (6)
- Very Unsatisfied (7)
- Have not used these services (8)

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Q10 Rate your satisfaction with your professional liability insurance **CARRIER'S CLAIMS HANDLING** (including responsiveness and competency of claims staff, communications skills, ability to assist with the claim process, etc.).

- Very Satisfied (1)
- Satisfied (4)
- Somewhat Satisfied (5)
- Not Very Satisfied (6)
- Very Unsatisfied (7)
- Have not used these services (8)

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Q11 Rate your satisfaction with your professional liability insurance **CARRIER'S RISK MANAGEMENT PROGRAMS**.

- Very Satisfied (1)
- Satisfied (4)
- Somewhat Satisfied (5)
- Not Very Satisfied (6)
- Very Unsatisfied (7)
- Have not used these services (8)
- Our carrier does not offer such programs (9)

Q12 Did you change PLI carriers during your most recently completed fiscal year?

- Yes (1)
- No (2)



Q13 Please explain why you changed PLI carriers. Check all that apply.

- Lower premium (1)
 - Better policy terms (4)
 - Not satisfied with pre-claims assistance (5)
 - Not satisfied with claims handling (6)
 - Not satisfied with risk management programs (7)
 - Needed higher limits than existing carrier could provide (8)
 - Could not renew with existing PLI carrier (9)
 - Changed carrier based on advice of Broker (10)
 - Other (please specify): (11)
-



Q14 Please rank from 1 through 9 (with 1-Most Important to 9-Least Important) the following factors that you consider when selecting your PLI carrier. Please drag each factor to its appropriate place.

- _____ Broker Recommendation (1)
- _____ Claim Handling Expertise (4)
- _____ Reputation of Carrier (11)
- _____ Financial Strength of Carrier (5)
- _____ Length of time Carrier has been writing PLI for Design Professionals (6)
- _____ Price (7)
- _____ Risk Management Services Offered by Carrier (e.g. contract review, education, etc.) (8)
- _____ Sponsorship / Endorsement of Carrier by a Professional Organization (9)
- _____ Other (please specify) (10)

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Q15 Rate your satisfaction with your professional liability insurance **BROKER**.

- Very Satisfied (1)
- Satisfied (4)
- Somewhat Satisfied (5)
- Not Very Satisfied (6)
- Very Unsatisfied (7)
- We did not use a broker (8)

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Q16 Did you change your PLI broker during your most recent completed fiscal year?

- Yes (1)
- No (2)



Q17 Please explain why you changed PLI brokers. Check all that apply.

- Not satisfied with Broker (1)
 - Broker couldn't access desired carrier (4)
 - New Broker offered additional services (5)
 - New Broker consolidated PLI and other business insurance (6)
 - Other (please specify) (7)
-

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Q18 At the last renewal of your PLI did your broker present you with options from more than one carrier?

- Yes (1)
 - No (2)
-

Q19 Did you receive quotes from more than one carrier?

- Yes (1)
 - No (2)
-

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Q20a

Professional Liability Insurance Coverage

What was your firm's **gross revenue for 2022 and 2023**? Please enter your responses below. *Please do not use decimals or commas in your responses.*

_____ FY 2022 gross revenue (1)

_____ FY 2023 gross revenue (2)

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Q20b

What were your yearly **PLI premiums for 2022 and 2023**? Please enter your responses below. *Please do not use decimals or commas in your responses.*

Your responses, in combination with those of other member firms, will help us to understand the overall trend for PLI rates.

_____ FY 2022 PLI Premium (1)

_____ FY 2023 PLI Premium (2)

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Q21 What is your coverage limit per claim? Please select the value nearest your actual limit.

- \$1,000,000 (6)
- \$2,000,000 (7)
- \$3,000,000 (8)
- \$4,000,000 (9)
- \$5,000,000 (10)
- \$6,000,000 (11)
- \$7,000,000 (12)
- \$8,000,000 (13)
- \$9,000,000 (14)
- \$10,000,000 (15)
- \$15,000,000 (16)
- \$20,000,000 (17)
- \$25,000,000 or more (18)

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Q22 Are your per-claim and aggregate limits the same?

- Yes (1)
- No (2)

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Q22a What are your aggregate limits? Please select the value nearest your actual limit.

- \$2,000,000 (7)
- \$3,000,000 (8)
- \$4,000,000 (9)
- \$5,000,000 (10)
- \$6,000,000 (11)
- \$7,000,000 (12)
- \$8,000,000 (13)
- \$9,000,000 (14)
- \$10,000,000 (15)
- \$15,000,000 (16)
- \$20,000,000 (17)
- \$25,000,000 or more (18)

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Q23 What is your deductible? Please select the value nearest your actual deductible.

- Less than \$10,000 (1)
- \$10,000 (6)
- \$15,000 (7)
- \$20,000 (8)
- \$25,000 (9)
- \$50,000 (10)
- \$75,000 (11)
- \$100,000 (12)
- \$150,000 (13)
- \$200,000 (14)
- \$250,000 (15)
- \$300,000 (16)
- \$350,000 (17)
- \$400,000 (18)
- \$425,000 (19)
- \$500,000 (20)
- \$750,000 (23)
- \$1,000,000 (21)
- More than \$1,000,000 (22)

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Q24 How does your deductible compare with the previous year?

- Increased (1)
- Stayed the Same (2)
- Decreased (3)

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Q25 Has your firm purchased a stand-alone Cyber Liability Policy?

- Yes (1)
- No (2)

Q25a Please indicate what influenced the decision to purchase a stand-alone Cyber Liability Policy. Check all that apply.

- Contract requirements (1)
 - Other compliance requirements (4)
 - Concern regarding potential claims (5)
 - Other (please specify) (6)
-

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Q25b Does your firm require its consultants to carry cyber insurance?

- Yes (1)
- No (2)

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Q25c Are consultants required to notify your firm about any cyber attacks?

- Yes (1)
- No (2)

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Q26 What aggregate dollar limits did you purchase for cyber-insurance? Please select the value nearest your actual limit.

- \$1,000,000 (1)
- \$2,000,000 (4)
- \$3,000,000 (5)
- More than \$3,000,000 (6)

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Q27

PLI Claims Made Against Your Firm

Please answer the questions in this section with reference to your firm's most recently completed fiscal year.

Did your firm have any outstanding claims? Claims are defined as a written or oral demand for money or services, or initiation of a lawsuit.

Yes (1)

No (2)

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Q28 What was the number of outstanding claims against your firm?

1 (1)

2 (4)

3 (5)

4 (6)

5 (7)

6 (8)

7 or more (9)

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Q29 How does the number of claims made against your firm compare with the prior year?

More than the prior year (1)

The same as the prior year (4)

Fewer than the prior year (5)

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Q30 What was the number of claims made by client type? If the answer for any type of client is "0" please select that response instead of leaving it blank.

	0 (0)	1 (1)	2 (2)	3 (3)	4 (4)	5 (5)	6 (6)	7 (7)	8 (8)	9 (9)	10 (10)	Don't know (11)
Public Sector Clients / Owners (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Private Sector Clients / Owners (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non Project-Owners (Prime A/Es, Contractors, etc.) (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Q31 What was the number of claims made by non-clients? If the answer for any type of non-client is "0" please select that response instead of leaving it blank.

	0 (0)	1 (1)	2 (2)	3 (3)	4 (4)	5 (5)	6 (6)	7 (7)	8 (8)	9 (9)	10 (10)	Don't know (11)
Construction / Contractors (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Construction Workers (e.g. Due to injury or death) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Non- Construction Workers (e.g. Due to injury or death) (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Others (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Q32 Claims Resolution

Please answer the questions in this section with reference to your firm's most recently completed fiscal year.

How many of your firm's outstanding claims (including claims from prior years) were resolved in your most recently completed fiscal year?

- 0 (0)
- 1 (1)
- 2 (2)
- 3 (3)
- 4 (4)
- 5 (5)
- More than 5 (6)
- Don't know (7)

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Q33

How many claims were settled within your deductible (including costs of outside attorneys, experts, etc.)?

- 0 (0)
- 1 (1)
- 2 (2)
- 3 (3)
- 4 (4)
- 5 (5)
- More than 5 (6)
- Don't know (7)

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Q34 How many claims were resolved by each of the following **METHODS**? If the answer for a method is "0" please select that response instead of leaving the space blank. *The total should equal your answer to Question 32. Your total is $\{Q32/ChoiceGroup/SelectedChoices\}$.*

	0 (0)	1 (1)	2 (2)	3 (3)	4 (4)	5 (5)	More than 5 (6)	Don't know (7)
Negotiation (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mediation (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Arbitration (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dismissal (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Jury Trial (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bench Trial (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other Method (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Q35

How many claims were resolved during each of the following **PERIODS**? If the answer for a

method is “0” please select that response instead of leaving the space blank. *The total should equal your answer to Question 32. Your total is $\${Q32/ChoiceGroup/SelectedChoices}$.*

	0 (1)	1 (2)	2 (3)	3 (4)	4 (5)	5 (6)	More than 5 (7)	Don't know (9)
Before Trial (Q35_1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
During Trial (Q35_8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
By Court Judgment (Q35_9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Before Arbitration (Q35_10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
During Arbitration (Q35_11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
By Arbitration Decision (Q35_12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Q36 What was the total number of claims resolved WITHOUT any payment by your firm to the claimant? If the answer is "0" please select that response instead of leaving the space blank.

- 0 (0)
- 1 (1)
- 2 (2)
- 3 (3)
- 4 (4)
- 5 (5)
- More than 5 (6)
- Don't know (7)

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Q37 What was the amount paid for ALL claims (including claims from prior years) resolved during your most recently completed fiscal year, by ANY method (total for the entire life of the claim)? *Please do not use decimals or commas in your responses.*

- _____ Defense costs YOU paid lawyers, experts, etc. (1)
- _____ Defense cost paid by the PROFESSIONAL LIABILITY INSURER (4)
- _____ Amount of award or settlement YOU paid (including any fees due your firm that were waived or forfeited) (5)
- _____ Amount of award or settlement paid by the PROFESSIONAL LIABILITY INSURER (6)

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Q38 Have you made a payment as a business decision to a claimant during your most recently completed fiscal year to resolve a case when you believed the claim to be frivolous or without merit?

Yes (1)

No (2)

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Q39 Defense of Claims and Causes of Claims

Please answer the questions in this section with reference to your firm's most recently completed fiscal year.

What was the total number of personnel hours expended by your firm in defending ALL claims (including claims from prior years)?

0-49 (1)

50-99 (4)

100-199 (5)

200-499 (6)

500-999 (7)

1,000 or more (8)

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Q40 Please indicate any possible or alleged causes that could have contributed to the claims that your firm experienced. Check all that apply.

Client / Project Selection (QBS vs. cost proposal, client not knowledgeable about construction, client / project financial strength, etc.) (1)

Code Violation (2)

Communications (breakdowns when conflicts arise, poor team or client communication, etc.) (3)

Contract (contract language, no contract, etc.) (4)

Error or Omission of a Technical Nature (5)

Project Management (lack of training, management of human or technical resources, turnover of staff, etc.) (6)

Project Delays (10)

Scope of Services (problems with scope definition, changes in scope, etc.) (7)

Third Party Claim (8)

Other (please specify) (9)

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Q41 For any claims that were either initiated or resolved during most recently completed fiscal year, please indicate the type of project involved in your **LARGEST** claim.

- Airport (Runway & Taxiways) (1)
 - Airport (Terminals) (4)
 - Apartment (5)
 - Bridges & Tunnels (6)
 - Condominium (7)
 - Healthcare (8)
 - Highways & Streets (9)
 - Hospitality (Hotel, Motel, Entertainment) (10)
 - Industrial & Process (11)
 - Land Development (12)
 - Mass & Rapid Transit (13)
 - Office (14)
 - Residential (Single Family) (15)
 - Retail (16)
 - School (Higher Education) (17)
 - School (K-12) (18)
 - Utility (19)
 - Water and/or Wastewater Conveyance (20)
 - Water and/or Wastewater Treatment (21)
 - Other (please specify) (22)
-

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Q41a For the claim identified in the previous question, please indicate the Project Delivery Method involved.

- Traditional Design-Bid-Build (1)
 - Contractor-Led Design/Build (4)
 - Consultant-Led Design/Build (5)
 - Progressive Design/Build (6)
 - Construction Manager at Risk (7)
 - Construction Manager/General Contractor (8)
 - Other (please specify) (9)
-

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Q42
Impact of the Threat of Claim

Has your firm reduced, dropped, or modified any service offerings due to high claims activity or other risk issues?

- Yes (1)
- No (2)

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Q43 How often has your firm not pursued or has turned down work, due to concern about potential risk issues?

- Frequently (1)
- Sometimes (4)
- Rarely (5)
- Never (6)

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Q44 Why specifically did your firm not pursue or turn the work down? Check all that apply.

- Client History (1)
 - Contract Terms (2)
 - High Risk (e.g., in terms of safety, project delivery type, technical sufficiency, etc.) (3)
 - Lacked Qualifications / Experience on the part of the client, design professional, or others (4)
 - Project Type or Delivery Method (5)
 - Undercapitalized Project (6)
 - Other (please specify) (7)
-

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Q45 During your last fiscal year, what is your best estimate of the potential total fee value of the work that your firm declined?

- \$0 to \$10,000 (1)
- \$10,001 to \$100,000 (4)
- \$100,001 to \$250,000 (5)
- \$250,001 to \$500,000 (6)
- \$500,001 to \$1 million (7)
- \$1.01 million to \$2.5 million (8)
- \$2.51 million to \$5 million (9)
- \$5.01 million to \$10 million (10)
- More than \$10 million (11)

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Q46

In your opinion, to what extent does the threat of claims stifle innovation in the profession at this time?

- Very Much (1)
- Somewhat (4)
- A little (5)
- Not at all (6)

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Q47 Please indicate whether the threat of claims is hurting your firm's ability to do the following. Check all that apply.

- Build good relations with clients (1)
- Expand your firm's business (2)
- Hire new engineers (3)
- Hold down costs / remain profitable (4)
- Hold down fees (5)
- Maintain good relations with other construction team members (6)
- Try innovative approaches (7)
- The threat of claims is not having an impact on our firm (8)

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Q48 **Suggestions for Improvement**

Do you have suggestions for improving this survey? If so, please provide them below.

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Q49 While this survey is confidential, we are seeking member firms that are willing to be interviewed on their current insurance and risk management experiences. If you are interested in being interviewed, please send a **SEPARATE EMAIL** to ckim@acec.org with your contact information.

End of Block: ACEC PLI Member Firm Default Block
