

Principles of Insuring Marital Settlement Agreements Against Unemployment Risks

Family Law Bar Continuing Education Course Syllabus

Course Information

Course Curriculum Prepared by: Richard S. Zizian JD (biographical information follows)

Contact Information:(richardzizian@insuredsupport.com) (Office: 619-236-0569) (Mobile: 760-505-4426)

Course Method: Online, self-taught from published course text book

Course Support: Online Email Contact Support – Course Critique Survey and Questionnaire

Course E-mail Support: info@insuredsupport.com

Course Text Book: Downloadable PDF at www.insuredsupport.com/attorneyCEB (No Cost)

Course Fees: No Cost

Course Description:

State: _____:

Course Title: **Principles of Insuring Marital Settlement Agreements Against Unemployment Risks**

State Assigned Course Number: _____

Proposed Start Date: _____

CE Credit Units: (two hours) (71-page text book + End-of-Course-Survey)

The private sector insurance industry has developed an insurance solution to address the national unpaid child and spousal support crisis. The concept for **Marital Settlement Agreement Insurance Involuntary Unemployment Insurance (“MSAI/IUI”)** originated from the bench of a family law court commissioner to help address the non-payment of child and spousal support by the non-custodial parent during qualifying periods of unemployment.

Marital Settlement Agreement Insurance is a new (introduced in 2017) financial risk management tool for divorced parties, family law attorneys, divorce support professionals, judges and enforcement agencies. The insurance program is approved by all State Departments of Insurance in the continental U.S.¹and is expected to have a major impact on (1) the future negotiating and drafting of marital settlement agreements, (2) reducing the risk of non-payment of child and spousal support, and (3) mitigating enforcement rulings by using MSAI as a recognized alternative enforcement solution for the courts and federal and state government enforcement agencies, and (4) lower the enforcement cost burden put upon state and federal agencies responsible for delinquent support enforcement.

Professional “best practices” in representing clients should now include a working knowledge and understanding of MSAI/IUI. This two-hour, text book course is designed to provide family law professionals with a working knowledge of MSAI/IUI.

¹ The program was not filed in Alaska or Hawaii and is not offered in these States.

Handbook & Course Materials

Required Materials (All downloadable PDF's at www.insuredsupport.com)

- Handbook: Principles of Insuring Marital Settlement Agreements Against Unemployment Risks
 - by Richard S. Zizian JD
- MSAI Program Manual for Family Law Attorneys
- MSAI Sample Insurance Policies (for all 48 states – Select the applicable one for your State)
- MSAI Insurance Rating System (online self-taught demonstration system)
- MSAI Frequently Asked Questions
- MSAI Marital Settlement Agreement sample inclusion language

Course Online Connectivity Requirements

Internet connection (DSL, LAN, or cable connection desirable) (Only necessary to secure online documents)

Course Structure

This continuing education course is a self-taught, two-hour, curriculum designed to introduce family law professionals to the principles of child/spousal support, private-sector, unemployment insurance. All course materials are available and downloadable online at www.insuredsupport.com/attorneyCEB. Course support is provided through direct online email communication with Dr. Zizian.

Course Outcome

To provide family law attorneys and staff with a working knowledge of the underwriting innovation in family law jurisprudence; child and spousal support involuntary unemployment insurance and how to use it as an effective resource in marital settlement agreement negotiations and court resolutions.

Relationship to Typical State Bar Continuing Education Requirements:

How does the Program relate to typical State Bar Continuing Education Requirements?

- (A) The availability of supplemental unemployment insurance is essential information that needs to be provided to family law attorneys so that they may inform their clients of such availability to ameliorate loss to families caused by interruption of support payments due to loss of employment.
- (B) The presenter of the activity, Richard Zizian, designed the Marital Settlement Agreement Insurance program and is an insurance professional with over 40 years' experience in the insurance field.
- (C) This request for approval specifies that 2 hours of general CEB credit is offered based on the extensive information provided in the on-line text and support materials accompanying the course.
- (D) The course is designed to take 2 hours exclusive of breaks. The course materials including the 78-page text are designed to remain online indefinitely in that the activity is continuous as is the insurance program.
- (E) The program will require 2 hours of self-study. Participant interruptions are not an issue."

CE Learning Course Topic Syllabus

Table of Contents

Forward.....	8
Preface.....	9
Acknowledgements.....	10
Chapter 1: History of Private-Sector Insurance Solutions for Public Necessities	11
Specialty Insurers Introduce Involuntary Unemployment Insurance.....	12
Job Loss Insurance and Debt Forgiveness Resonated with Consumers.....	13
The Advent of Debt Cancellation and the Decline of Credit Insurance.....	13
Child/Spousal Support Crisis in Search of a Private Solution	14
Chapter 2: Financial & Job Instability Drives the Necessity for Child/Spousal Support Unemployment Insurance	17
No Back Up or Emergency Funds	17
Diminishing Commitments to Job and Job Longevity.....	19
Necessity Requires Shared Responsibility by the Legal Community.....	21
Chapter 3: Special Underwriting Conditions Required to Cover Marital Settlement Agreements with Involuntary Unemployment Insurance.....	24
Insurability of the Obligor Based Upon Employment History	24
The Impact of Frequency and Severity on Insurance Rates.....	25
15-Year Unemployment Analysis by Industry/Trade/Occupation.....	27
The W-2 Status Requirement.....	28
Minimum Income Requirements	29
Chapter 4: Unemployment Eligibility.....	31
Testing Eligibility for State Unemployment Benefits	31
Chapter 5: Affordability of Competing Insurance Interests.....	34
The Improbable and Impractical Trilogy	35
Insuring Typical and Atypical Settlement Agreements with IUI.....	36
Chapter 6: Dealing with Issues of Adverse Selection.....	38
Policy Vesting Required to Prevent Fraud: The Dark Side of Insuring the Public for Job Loss	38
The Benefits of a Legal Community Sponsored Underwriting Environment.....	39
Chapter 7: Best Practices Utilization of MSAI/IUI	40
Notifying Current and Former Clients	40

Considering Interlocutory and Temporary Support Issues	40
Practical Matters That Should Be Considered	40
MSAI as a Potential Olive Branch	41
Recognition of MSAI/IUI by the Courts.....	42
Informing the Community of Your Knowledge of MSAI	42
Best Practices Use of an IUI Waiver Form.....	43
Sample Client MSAI/IUI Waiver Form.....	44
Adding MSAI to a Marital Settlement Agreement Illustrative Draft Language.....	45
Chapter 8: Applying for MSAI/IUI Coverage	48
Chapter 9: Dissecting an MSAI/IUI Policy	51
Two Versions of the Standard Policy: Depending on State.....	52
Supplemental Involuntary Unemployment Compensation Policy Declarations.....	53
Supplemental Involuntary Unemployment Compensation Policy.....	54
Special Endorsement - Assignment of Benefit Endorsement	61
Special Endorsement Settlement Change Endorsement.....	62
Chapter 10: Frequently Asked Questions Attorney Guide	63
About the Author:	70
Course Survey: Continuing Education of the Bar Subject Survey.....	71

Grading and Credit: Survey/Questionnaire/Certificate

The course is offered on an honors basis. Each person who is enrolled will be asked to complete an End-of-Course-Survey asking for creative contributions and ideas toward the subject matter of unemployment insurance in family law. Upon completion of the Survey, a Certificate of Completion for 2 CEB Credits will be emailed to the participants and the State Bar. (Or whatever alternative procedure the State Bar prefers or requires).

Continuing Education of the Bar Subject Survey

Course participants completes a narrative survey answering the following question after reading the course textbook:

“How does the advent of MSAI/IUI impact your practice and do you perceive it as being of value to divorce stakeholders? (obligors, recipients, attorneys, financial planners, the courts and enforcement agencies)

Survey is mailed or emailed to Zizian & Associates LLC 1205 Pacific Highway, Suite 401 San Diego CA 92101



About the Author

<https://www.linkedin.com/in/richard-s-zizian-jd-6b15aa5/>

Richard Zizian JD is a creator of “enterthropic” solutions; a term you will not find in a Google search. He coined the word midway through his career when he realized that almost every insurance, risk management or financial solution he developed, was not only for entrepreneurial business purposed, but also had an important social or environmental “pay-it-forward” aspect to it. Advancing new technology, environmental solutions and helping protect the average working American against life’s critical events, were all a part of Richard’s creative mission.

For more than 40 years, Richard’s insurance and financial solution innovations have been recognized and published in worldwide media, including but not limited to; ABC, CBS, NBC, TD Ameritrade, Yahoo Finance, Forbes Magazine, New York Times, Washington Post, Los Angeles Times, California Journal, Tokyo Times, KABC TV, San Jose Mercury News, Orange County Register, Insurance Journal, A.M. Best Magazine, National Underwriter, Security Systems News, The Fire Journal, San Diego Business Journal, San Diego Metropolitan Magazine, The Ohio Underwriter, The Claims Reporter, Security Sales Magazine, Recycling News, Ohio Women’s Bar Association, American Academy of Matrimonial Lawyers, KLIF-570 News, WBAP-820 News, Contra Costa Bar Association, Nevada State Bar Association.

His more notable creative solutions included (i) Municipal Homeowner’s Insurance which returned a portion of the homeowner’s insurance premium to sponsoring cities with beleaguered budgets to help fund police and fire services; (ii) Private Sewer Lateral Insurance sponsored by municipalities to their homeowners to replace defective residential sewer lines that were causing sanitary sewer spills and overflows into our national oceans, bays, lakes, and rivers; (iii) insuring state-of-the-art, new technology power transmission lines to improve and double the capacity of the worldwide power transmission grid; (iv) creating the first 2.0-megawatt wind turbine mechanical breakdown insurance coverage worldwide which facilitated the wind energy industry in the U.S.; (vi) insuring revolutionary vehicle brakes that never wear out, and (v) his most prized achievement, critical period unemployment insurance covering child support, alimony, private school and day care tuition, and tenant/lessee rent payments against involuntary unemployment of the insured.

Richard is a graduate of California State Polytechnic University and La Verne University College of Law. He also has a State of California collegiate teaching credential in law and insurance.

He is very active in civic service in the San Diego area and donates a significant amount of time to the betterment of his community.

Richard and his company Zizian & Associates sponsors and supports events conducted by: Beverly Hills Family Law Bar, International Academy of Collaborative Professionals, American Academy of Matrimonial Attorneys