

WFG Underwriting Bulletin



To: All Ohio Policy Issuing Agents of WFG National Title Insurance Company

From: WFG Underwriting Department

Date: May 10, 2024

Bulletin No.: OH 2024-02

Subject: Ohio Final Judicial Reports and Union County Common Pleas Court

Local Court Rule 20.03 (B) of the Union County Common Pleas Court requires any Final Judicial Report filed with the Court to contain a certification specifically stating:

“All necessary parties are properly before the Court, with all proceedings in conformity to law and Civil Rules.”

You may not include this certification on a Final Judicial Report (FJR) for the following reasons:

1. The FJR is an insurance form filed with and approved by the Ohio Department of Insurance. It is essentially a limited, date down endorsement of the Preliminary Judicial Report (PJR).

The PJR contains an exclusion (Exclusion 4) that the Company does not assume liability for the proper form or execution of any pleadings or other documents filed in a judicial proceeding.

This certification essentially deletes this Exclusion adding coverage beyond the scope of the filed PJR/FJR. It represents a significant and recurring additional coverage not contained within the filed form of either the PJR or FJR. As such, this coverage cannot be offered unless a new, altered Final Judicial Report form is filed with and approved by the Ohio Department of Insurance; and

2. WFG will not file a FJR altered to provide this certification.

It is WFG's position that making a certification that court proceedings were conducted in conformity to law is a legal opinion constituting the practice of law and not the business of title insurance. Since WFG is a title insurance company and not an attorney admitted to practice law in Ohio, such a certification constitutes the Unauthorized Practice of Law.

Please notify any clients you may have who order Preliminary Judicial Reports that WFG is not able to make such a certification.

NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.