APRIL 2020

DELAWARE
CLAIMS
PROCESSING
FACILITY

TRUST ONLINE RELEASE eSIGN MANUAL

AWI

B&W

FLK

FM

OCFB

PCC

USG

WRG

Introduction to eSign

An Alternate Approach

Imagine the ability to send, sign, and receive releases in less than a day. The eSign process offers a secured and legal method of accomplishing this time-consuming, costly and cumbersome practice. The old approach requires you to get the release from the Trust, send it to your client, have them sign and verify their signature then send it back to you. Then you have to either scan and upload or mail the release back to the Trust. Even in the best scenario, this process can take weeks.

By contrast, with the eSign process your client can sign the release with just a few clicks on their keyboard and have the signed document automatically delivered to the Trust in seconds, saving you the time and cost of the paper-based system.

The process is designed to be fast and easy for both you and your clients while giving you full control and visibility of the entire process. You will be able to see exactly where your releases are in the process, and get copies of the electronically signed documents when they are completed. Furthermore, your clients can print a signed version of the release at the time they sign it to have a hard copy for their records. In several ways, the electronic process provides greater security and reliability than the manual process. The eSign platform has been implemented with the latest secure and encrypted technologies and has been vetted and approved by the Trustees, trust counsel and the TAC.

Importantly, the eSign process is entirely optional. All the old methods of handling releases will continue to be supported.

The eSign process is as easy as 1-2-3.

1) The law firm emails instructions to the client who logs on and signs the document electronically.

2) The release is returned directly to the trust for processing.

3) An email is sent to the law firm indicating that the release has been signed and returned.

eSign Process Flow

Requirements for eSign

To use eSign, firms must have an existing Trust Online account and complete an eSign Agreement for each Trust. Once the firm is set up for eSign, all users in the firm will have access to the eSign Release Management page.

In order for claims to be eligible for the electronic signature process, they must be in the Offer Issued status and queue.   Claims cannot have an open Release deficiency or be on any type of hold or research.

Release Verification Process

When claims are electronically signed, they must go through a verification process similar to what paper claims go through. There are two types of verification for electronically signed releases.

The **Automated** process applies to claims where the injured party is living and does not have a power of attorney or personal representative who will sign the release.   In these instances, after the injured party electronically signs the release, it is automatically verified by the system, and the claim is sent to the payment queue.

The **Manual** process applies to claims where the injured party is either *deceased* or *living and has a power of attorney or personal representative* who signed the release for them. In these instances when the P.O.A. or P.R. electronically signs the release, the release is not automatically verified and the claim is sent to the release verified queue for manual verification.

Legal – Federal and State Legislation

ESIGN – Federal law approving use of electronic signatures: The Electronic Signature in Global and National Commerce Act (ESIGN, Pub.L. 106-229, 14 Stat. 464, enacted June 30, 2000, 15 U.S.C. ch. 96) is a United States federal law passed by the U.S. Congress to facilitate the use of electronic records and electronic signatures in interstate and foreign commerce by ensuring the validity and legal effect of contracts entered into electronically. The general intent of the ESIGN Act is spelled out in the very first section (101.a), that a contract or signature "may not be denied legal effect, validity, or enforceability solely because it is in electronic form". This simple statement provides that electronic signatures and records are just as good as their paper equivalents, and therefore subject to the same legal scrutiny of authenticity that applies to paper documents.

UETA – State-by-state laws that further clarify and approve use of electronic signatures at the state level: The Uniform Electronic Transactions Act (UETA) is one of the several United States Uniform Acts proposed by the National Conference of Commissioners on Uniform State Laws (NCCUSL). Since then 47 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands have adopted it into their own laws. Its overarching purpose is to bring into line the differing State laws over such areas as retention of paper records (checks in particular), and the validity of electronic signatures, thereby supporting the validity of electronic contracts as a viable medium of agreement.

Security

The electronic signature process has enhanced security over the conventional paper method.   With the paper method, it is very difficult to know if the document provided to the claimant is exactly what was issued by the Facility. Furthermore, it is similarly difficult to know that the document returned to the Facility is the same as what the claimant signed. There is no way to know whether or not a document has been digitally altered.
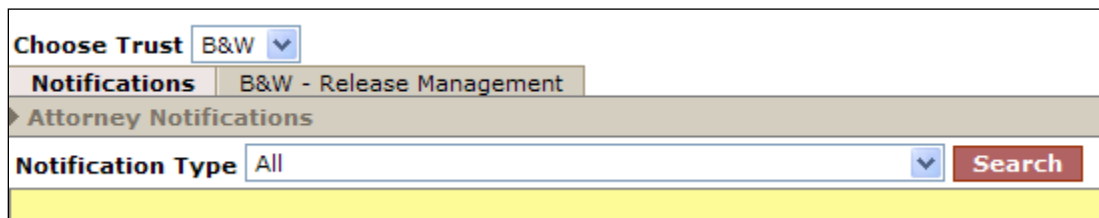
With the electronic method, the release document is provided directly to the claimant electronically and there is no opportunity for it to be tampered with or otherwise modified. Once the release is signed, it is digitally encrypted making the document tamper proof. Every electronic touch of the document is logged providing a full audit trail and chain of custody; therefore, the Trust, the law firm and the claimant can independently verify that the document has not been altered after being signed.

The IP address of the computer used to sign the document is compared against a database of all Trust Online user IP addresses. When a release is signed from a computer that might not typically be used by a claimant, the trust will follow up with the law firm to guard against inappropriate use of the eSignature process.

Release Management

In order to provide law firms with an efficient way to manage the electronic signature process, a new tab in the Notifications page of Trust Online has been added. In the process of adding this new feature, it became clear that this functionality is useful for all release management, not just those designated for electronic signature. We would encourage you to consider using this new feature for all your release management tasks, whether or not you choose to take advantage of eSign.

In addition to this new tab, we have added a Trust filter to the existing Notification section. This new feature will help law firms manage the huge inventory of notifications generated by Trust Online.

The Release Management section allows firms to search for their releases in a number of different ways. Similar to the Claim Search page, firms can still search for their releases by Claim Number, Last Name, Social Security Number, Firm File Number, Confirmed Injury, Claim Option, Status and Queue. In addition to these search criteria, firms may also search by any of the Release specific filters listed below.

- **Release Issue Date** – Users can search for releases within a date range. The Release Issue Date would be the date the release was created. Releases issued on the *From* or *To* date will be included in the search results. (the title of this one is Issue but in the paragraph it says "Issued" – they should be consistent
- **eSign Status** – Users can search for releases that have been electronically signed by checking the **Signed** box or ones that have not been electronically signed by checking the **Unsigned** box. If none or both boxes are checked, all signed and unsigned releases will be included in the search results.
- **Selected for eSign**– Users can search for releases that were selected for the eSignature process by checking this box.
- **eSign Signature Date** – Users can search for releases within a date range. The eSign Signature Date would be the date the release was electronically signed by the client. Releases signed on the *From* or *To* date will be included in the search results.
- **Comment** – Users can search for releases with comments that were previously entered by a user.

The releases returned in the search results include information pertaining to the specific release. Only claims that have an active release (not cancelled) will be included in the results. Depending upon the **Results View** selected, more or less information will be available.

The **Standard** results view includes the Name, SSN, Attorney, Confirmed Injury, Claim #, Option, Release Issue Date**,** Gross Value, Offset, Liquidated Value, eSign Key, Comment, and eSign Selected.

The **Extended** results view includes the same information as the Standard results view as well as the following information: Trust, Status, Queue, Firm File #, eSign Status, eSign Signature Date and Edited By.

EDITABLE FIELDS

Name	SSN	Attorney	Confirmed Injury	Claim #	Option	Release Issue Date	Gross Value	Offset	Liquidated Value	eSign Key	Comment	eSign Selected
Smith, John	*****8877	Yousefi, Pouya R	Level VII. Lung Cancer 1	2211094	Expedited Review	10/25/2011	$35,000.00	$0.00	$35,000.00	ACBCBF51	send to Claimant for esignature	Yes

Save To File < 1 to 1 of 1 >

Standard Results View

A key feature of the release results grid is the ability to edit each record that is returned. The editable fields, the **Comment** and **eSign Selected** fields, allow firms to make comments specific to the release while the eSign Selected field is a check box that enables the firm to keep track of the releases they have selected for the eSign process.

In the example above, the eSign Selected field is set to "Yes" which indicates that the firm has marked this record in order to have it electronically signed by their client. They also added a comment stating "send to claimant for signature". Also notice that the eSign Status field which indicates whether or not a release has been electronically signed defaults to "Unsigned" until the time the release is eSigned.

After the claimant electronically signs the release, the eSign Status is updated to reflect the new Signed status and the Queue has changed from the Offer Issued Tank to the Release Verify Queue.

																			Save To File < 1 to 1 of 1 >
Name	SSN	Trust	Attorney	Status	Queue	Confirmed Injury	Claim #	Firm File #	Option	Release Issue Date	Gross Value	Offset	Liquidated Value	eSign Key	eSign Status	eSign Signature Date	Comment	eSign Selected	Edited By
Smith, John	*****8877	B&W	Yousefi, Pouya R	Offer Issued	Offer Issued Tank	Level VII. Lung Cancer 1	2211094		Expedited Review	3/3/2009	$35,000.00	$0.00	$35,000.00	214B1C20	Signed		send to claimant for esignature	Yes	✏
																			Save To File < 1 to 1 of 1 >

Extended Results

eSign Process

The Release Management page is intended for searching, tracking and managing releases in various stages of the release life cycle from the time they were issued through the payment process. With the added ability to export all of these records to an Excel spreadsheet and email your clients this information using mail merge, firms can easily manage the eSign process while maintaining total privacy and complete control over the communication with their clients. It is impossible for the Trust to see, track or in any way be involved in the communication between you and your clients.

Exporting

The Release Management page has advanced search capabilities using release specific criteria to narrow your search. Once you decide which releases need to be emailed to your clients for electronic signature, you can search for this list of claims and export them to an Excel file by clicking on the <**Save to File**> link. A File Download dialogue box prompting the user to Open or Save the file will be displayed. The file will be saved as a comma separated value (.csv) file. Once it is saved, you can re-open and save the file as an Excel file format and add any additional column with the data needed to email your clients using the Mail Merge feature in the Microsoft Office Suites.

SAVE TO FILE

											Save To File < 1 to 3 of 3 >
Name	SSN	Attorney	Confirmed Injury	Claim #	Option	Release Issue Date	Gross Value	Offset	Liquidated Value	eSign Key	Comment	eSign Selected
Johnson, Mary	*****6987	Smith, Johnathan	Level II. Asbestosis/Pleural Disease	2208385	Expedited Review	8/24/2015	$5,000.00	$0.00	$5,000.00	2E386A34		No	✏
Doe, John X	*****8795	Smith, Johnathan	Level III. Asbestosis/Pleural Disease	2209400	Expedited Review	8/24/2015	$10,000.00	$0.00	$10,000.00	422B1F3E		No	✏
Smith, John	*****8877	Yousefi, Pouya R	Level VII. Lung Cancer 1	2211094	Expedited Review	10/25/2011	$35,000.00	$0.00	$35,000.00	ACBCBF51	send to Claimant for esignature	Yes	✏
											Save To File < 1 to 3 of 3 >

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Name	SSN	Attorney	Confirmed Injury	Claim #	Option	Release Issue Date	Gross Value	Offset	Liquidated Value	eSign Key	Comment	eSign Selected
2	Johnson, Mary	*****6987	Smith, Johnathan	Level II. Asbestosis/Pleural Disease	2208385	Expedited	8/24/2015	$5,000.00	$0.00	$5,000.00	2E386A34		No
3	Doe, John X	*****8795	Smith, Johnathan	Level III. Asbestosis/Pleural Disease	2209400	Expedited	8/24/2015	$10,000.00	$0.00	$10,000.00	422B1F3E		No
4	Smith, John	*****8877	Yousefi, Pouya R	Level VII. Lung Cancer 1	2211094	Expedited	10/25/2011	$35,000.00	$0.00	$35,000.00	ACBCBF51	send to Claimant for esignature	Yes

Sample Excel File

Mail Merge

Using Excel, Word and Outlook, you can easily create a mail merge document to email your clients with all of the vital information needed to have the releases electronically signed. For example, you can create a Word document template with instructions on how to sign the release electronically, the claim number, the eSign Key as well as the link to the eSign site.

There are several ways to create a mail merge document. One way is to begin by modifying the Excel spreadsheet that was exported from the Release Management page. Adding the claimant's name and email address will allow you to address your emails to the proper recipients.

Modified to Include the Email Addresses of your claimants

Modified to included First and Last Name Columns

|	A	B	C	D	E	F	G
1	First Name	Last Name	Claim #	Gross Value	Liquidated Value	eSign Key	Email Address
2	Mary	Johnson	2208385	$5,000.00	$5,000.00	2E386A34	exampleemail1@delcpf.com
3	John	Doe	2209400	$10,000.00	$10,000.00	422B1F3E	exampleemail2@delcpf.com
4	John	Smith	2211094	$35,000.00	$35,000.00	ACBCBF51	exampleemail3@delcpf.com

Sample Modified Excel File

Under the **Mailings** tab in Microsoft Word, the **Select Recipients** button allows you to select your Excel spreadsheet as the data source by clicking on the **Use an Existing List** options.

Import data from your Excel spreadsheet here.
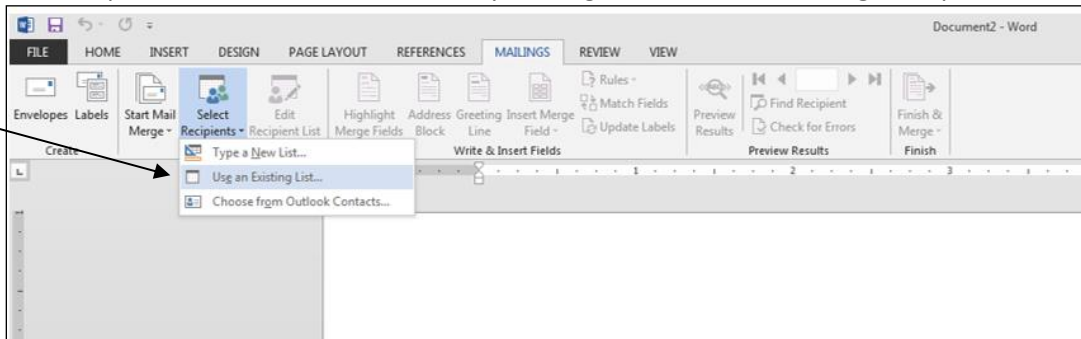
You will be directed to select the Excel spreadsheet and confirm the tab (Table) that contains the data you would like to import.
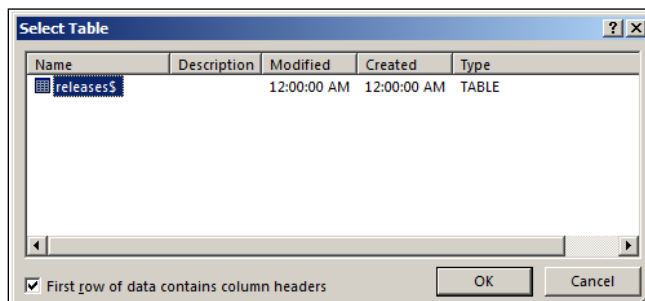
You can now begin drafting your email. Within the email body, you will need to create placeholders that will eventually be replaced with data from your Excel file once the mail merge is complete. To create the placeholder, simply click on the **Insert Merge Field** button and select the field name that you would like to include in your email template.
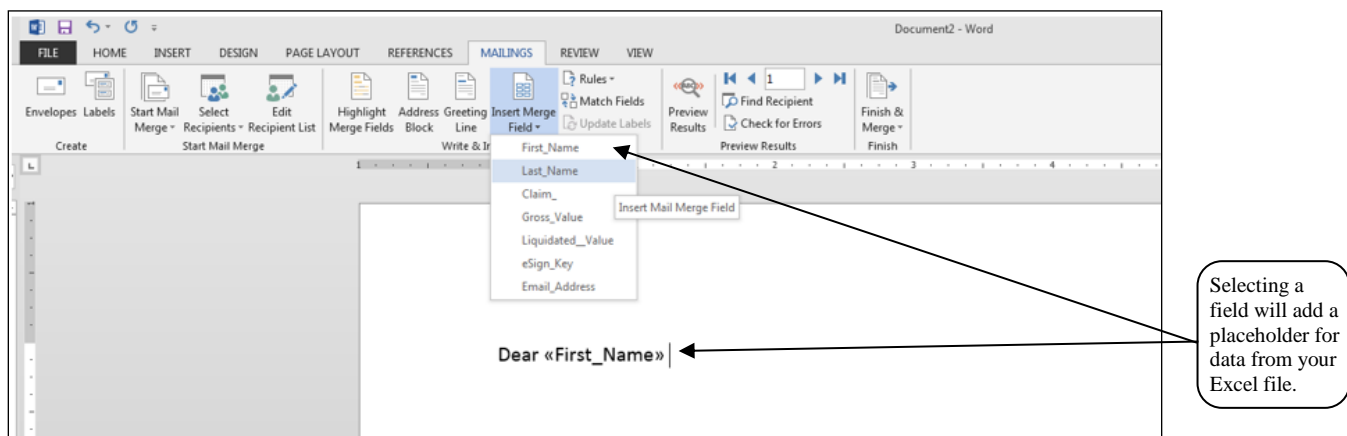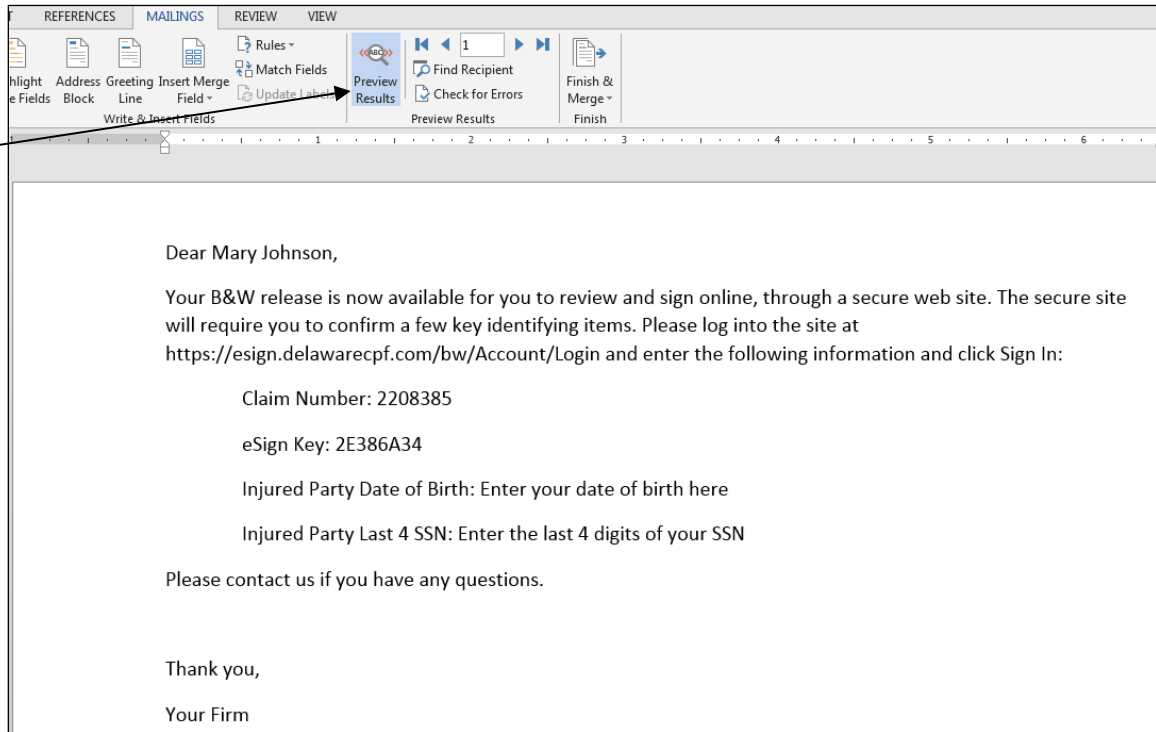

Once you are done drafting your custom email template, you will see each of your selected placeholders within your email as shown in the sample bellow.
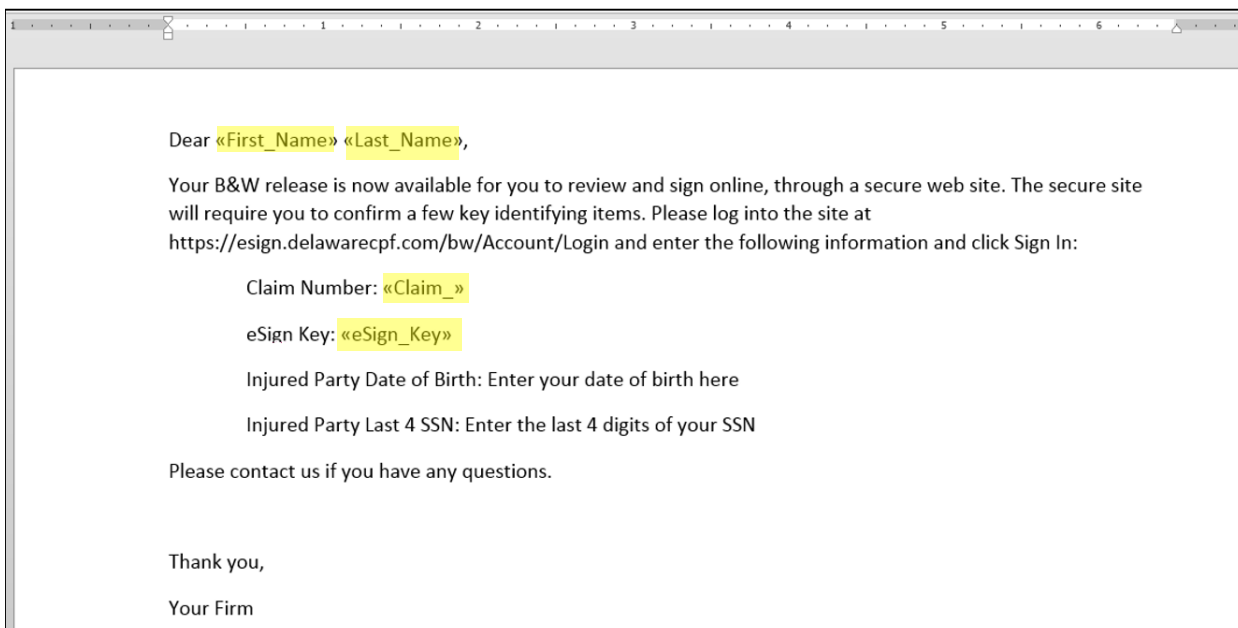

Example Email Template

Click to preview your results

Preview of Results

When you are satisfied with your email template, you can finalize your email mail merge by clicking on the **Finish and Merge** button and selecting **Send Email Message**. You will be presented with the Merge to E-mail dialog box that gives you options for selecting the field name for the source of your email addresses and creating the subject line for your emails.


Click to begin the process of sending your emails

Add your subject line here then click OK
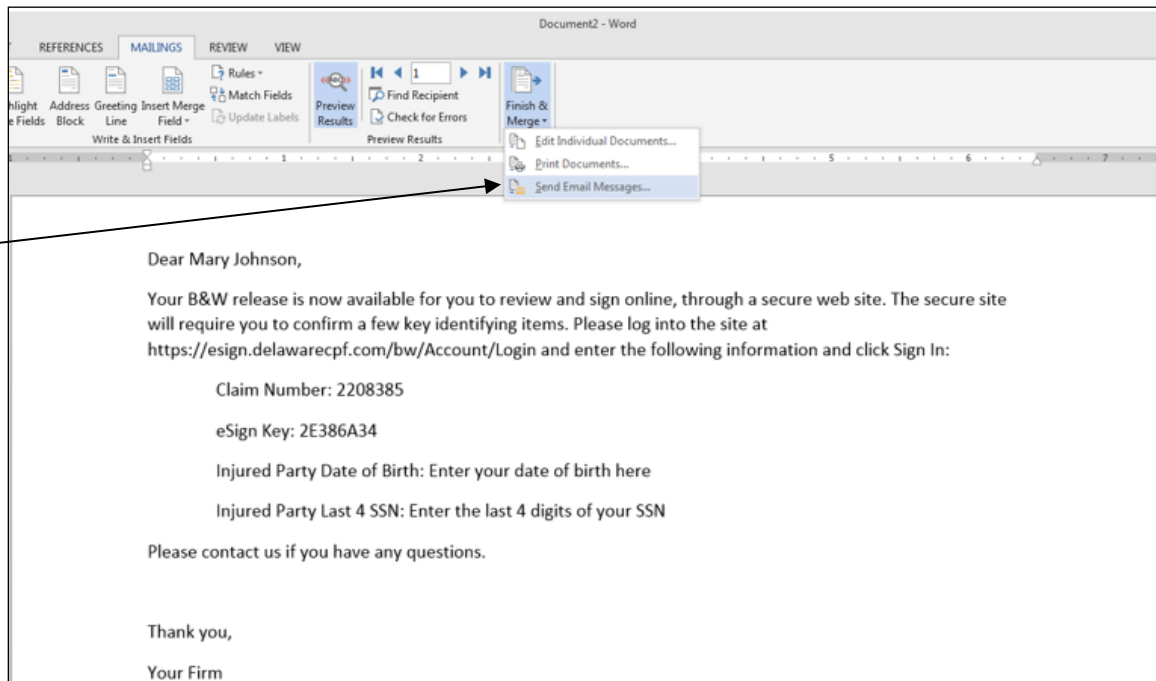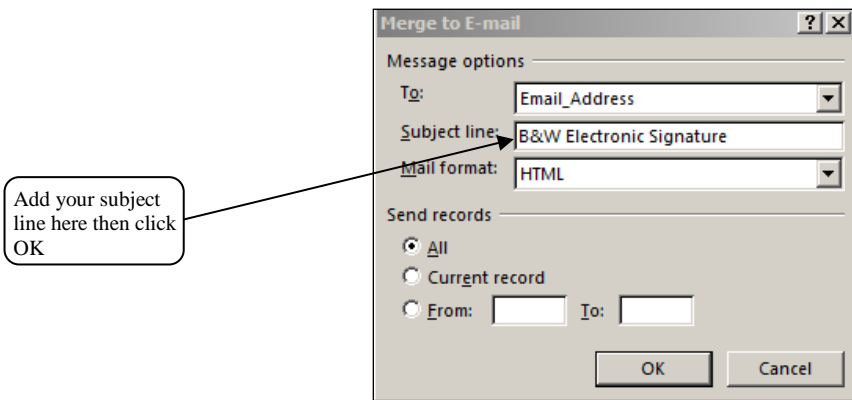
eSignature Release Notifications

An email notification is sent to firms each day notifying them of which clients electronically signed releases. To receive the email notifications, either the firm super user or the attorney, who must have a Trust Online attorney account, can set up users to receive the eSignature Release Notifications by going to their Profile page and setting the preferences for each user.

SAVE
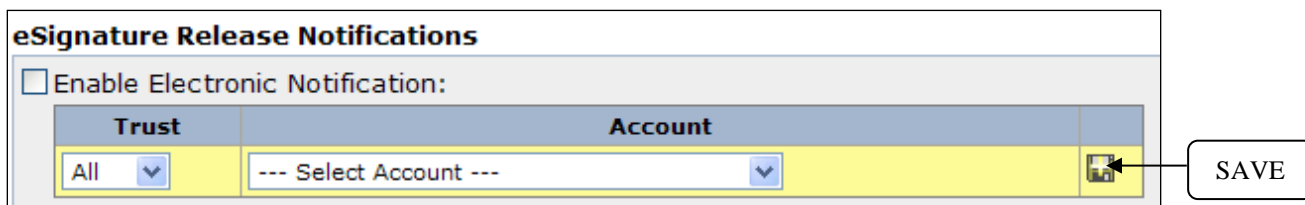
The notification has to be set up for each Trust the user has access to, or if the user wants to be notified for all trusts, you can leave the default of "All" and select the user(s) from the Account drop-down box. After adding the user, click the <**Disk**> icon to save the new added line. After adding each of the users click the <**Save**> button at the bottom of the page in order for all changes to take effect.

How to sign your release electronically – Claimant Instructions

First, click on the link sent in the email from your attorney. Clicking on this link will direct you to the login page of the **Offer Acceptance and Release Signature** site. Also in this email, the attorney has provided you with the *Claim Numbe*r and *eSign Key*. These two pieces of information as well as the injured party's *date of birth* and the *last 4 digits* of the *social security number* are needed to log into the site.

After entering these 4 pieces of information, click the <**Sign In**> button. After logging into the site, you will be able to view the summary claim information, a copy of the release and two buttons – a **Sign Later** and **Sign**. The summary includes the Injured Party, Personal Representative and Release information.

Offer Acceptance and Release Signature

Injured Party		Personal Representative	
Name: John Smith		Name: Joe Smith	
SSN: XXX-XX-8721		SSN: XXX-XX-1946	
Injury: Level II. Asbestosis/Pleural Disease		Relation to Injured: Child	

Release Date	Gross Value	Offset	Liquidated Value
6/14/2011	$5,000.00	$0.00	$5,000.00

Note: There is also an option to print the release and signed it manually. To print the release, click on the Print Icon located on the PDF reader menu.

After pressing the **Sign** button, you are directed to the signature page itself. In order to "sign" the release, all you have to do is type your name into the text field exactly as it appears below that box. Once that is done, simply click the **Sign** button and you are done.

PRINT ICON

John Smith
***-**-8721
BW#2000265
6/14/2011
Release ID: 203936

THE BABCOCK & WILCOX COMPANY ASBESTOS PI TRUST

RELEASE AND INDEMNITY AGREEMENT

NOTICE: THIS IS A BINDING DOCUMENT THAT AFFECTS YOUR LEGAL RIGHTS. PLEASE CONSULT YOUR ATTORNEY IN CONNECTION WITH EXECUTING THIS DOCUMENT. IF YOU DO NOT PRESENTLY HAVE AN ATTORNEY, YOU MAY WISH TO CONSIDER CONSULTING ONE.

WHEREAS, the undersigned, who is either the "Injured Party" or the "Official Representative"[1] (either being referred to herein as the "Claimant"), has filed a claim (the "Claim") with The Babcock & Wilcox Company Asbestos PI Trust (the "Trust") pursuant to the Asbestos Personal Injury Settlement Trust Distribution Procedures (the "TDP") established in In Re The Babcock & Wilcox Company, et al., Case No. 00-10992, and such Claim asserts an Asbestos Personal Injury Claim for which one or more Debtors is alleged to have legal responsibility (all capitalized terms not defined herein shall have the respective meanings ascribed to them in the Plan of Reorganization under Chapter 11 of the United States Bankruptcy Code for The Babcock & Wilcox Company (the "Plan") confirmed in Consolidated Case Nos. 00-10992, 00-10993, 00-10994, and 00-10995 by the United States District Court for the Eastern District of Louisiana Division on January 17, 2006); and

WHEREAS, the Claimant has agreed to settle and compromise the Injured Party's Claim, for and in consideration of the allowance of the Claim by the Trust and its payment pursuant to the TDP in accordance with the terms set forth therein and herein;

NOW, THEREFORE, the Claimant hereby agrees as follows:

1. On behalf of the Injured Party, the Injured Party's estate, the Injured Party's heirs and/or anyone else claiming rights through the Injured Party, now and in the future, the Claimant hereby fully and finally RELEASES, ACQUITS and FOREVER DISCHARGES the Trust, the Debtors, the

Sign Later   Sign

I state that I have carefully read the foregoing Release and Indemnity Agreement and know the contents thereof, and I sign the same as my own free act. I additionally certify, under penalty of perjury, that the information that has been provided by my attorneys, which I understand comes from information provided by me, to support the Claim is true according to my knowledge, information and belief and further that I have the authority as the Claimant to sign this Release and Indemnity Agreement.

In order to sign this release you must type your name in the textbox exactly as it appears below. Then click the *Sign* button.

Joe Smith
Personal Representative

If you are not Joe Smith, do not sign this release. Please contact your attorney.

Back   Sign

Once the release is successfully eSigned, a confirmation message will appear stating the release has been sent to the Facility for processing.

The release has been signed and delivered to the Trust for processing. Please print a copy of your signed release below.

The release will continue to be available to view or print for 30 days from the date the release was signed. As noted on the website, if you have any issues or questions please contact your attorney.