

D&O Placement Pressure Test

YOUR PRE-RENEWAL CHECKLIST

Use this tool to conduct a high-level audit for complex placements where standard forms fall short. These red flags are the pressure points that surface during a claim. If a box stays empty, it's a sign that the risk has become nuanced, which is exactly where a Jencap specialist can help you cross the finish line.

1

GOVERNANCE & OWNERSHIP

Internal friction and oversight gaps often hide in the fine print.

Derivative Carve-Backs

The Insured vs. Insured exclusion includes specific carve-backs for derivative actions (vital for family-run or closely held firms).

Tailored Governance

Policy language is designed to handle internal disputes specifically, rather than relying on broad entity definitions.

Cyber-Oversight Sync

The form is free of silent cyber exclusions that could block coverage for a board sued after a data breach.

2

FINANCIAL STABILITY & INSOLVENCY

Directors need to know their personal assets are shielded if the company hits a rough patch.

Current Disclosures

All financial statements are current, ensuring no subject to endorsements are tied to outdated data.

Side A Safety Net

A dedicated Side A layer sits above the main ABC tower, serving as a final safety net for directors.

Bankruptcy Continuity

Carve-backs are in place so individual directors remain protected even if an exclusion triggers for the entity.

3

INVESTIGATION & REGULATORY DEFENSE

A defense budget can disappear surprisingly fast during the early stages of a probe.

Adequate Investigation Limits

Sublimits for books and records or demand investigations are high enough to sustain at least six months of pre-suit defense.

Full Regulatory Funding

The form is free of coinsurance requirements or hourly rate caps that shift probe costs back to the client.

Antitrust Transparency

Retentions for antitrust allegations are clearly defined and manageable to prevent sticker shock during a claim.

SCORING THE PLACEMENT

All Boxes Checked	CLEAR. The placement is sound for standard risks.
1–2 Empty Boxes	RED FLAG. The risk is becoming nuanced. See the Escalation Matrix on Page 2.
Any Empty Box in Section 2	CRITICAL. We recommend an immediate specialist review to ensure the board's personal assets are fully secured.

The Jencap Advantage

MOVING BEYOND THE FUNDAMENTALS

You already understand the core risks your clients face. We're here to help you navigate the hidden complexity that arises when a risk outgrows a standard form. Use this matrix to identify exactly where a specialist review adds the most value to your placement.

When the client faces...	Watch for this pressure point...	So Jencap can help you...
Complex Ownership	Insured vs. Insured wording that could block internal governance claims.	Negotiate broader Entity vs. Entity carve-backs that protect the board.
Financial Transition	Narrow bankruptcy triggers that leave directors exposed during insolvency.	Secure DIC (Difference in Conditions) Side A to shield personal assets.
Regulatory Scrutiny	Sublimits or coinsurance that shift probe costs back to the client.	Leverage carrier relationships to broaden investigative sublimits.
Tech/Data Reliance	Gaps between Cyber and D&O oversight language.	Synchronize failure to oversee language across both policy towers.

READY FOR A PLACEMENT PRESSURE TEST?

If you have a complex risk on your desk, reach out to our D&O specialists today. We are here to help you navigate the fine print and win the placement.

Together, we can find and fix the risks before we find it in a claim.

