

All About Professional Liability Claims

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The information and opinions expressed by our panelists today are their own, and do not necessarily represent the views of their employers or of PLUS.

The contents of these materials may not be relied upon as legal advice.

Speakers

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The Nature of the Beast...

- Errors & Omissions Insurance
- Directors & Officers Insurance

The Insurance Policy

- Declarations Page
- Insuring Agreements
- Definitions
- Terms and Conditions
- Exclusions
- Endorsements

Insurer's Duties

- Fair Claims Practices: State-Specific Requirements
- Coverage Positions
 - Reservation of Rights Letter
 - Declination of Coverage Letter
 - Partial Declination of Coverage Letter

How to Manage Professional Liability Claims

- Overview of the Claims Process
 - Assignment
 - Evaluation
 - Reserving

How to Manage Professional Liability Claims

- Understanding Appropriate File Management
- Communications Between Claims Professionals, Underwriters, Brokers, Counsels and Insureds
- Primary Versus Excess Considerations

How to Manage Professional Liability Claims

- Utilization of Defense Counsel
 - Duty to Defend
 - Non-Duty to Defend
 - Litigation Management

Claims Resolutions

- Settlement Inflection Points
 - Pre-Suit Demand
 - Lawsuit Filed
 - Motion to Dismiss
 - Discovery
 - Class Certification
 - Motion for Summary Judgment
 - Pre-trial

Claims Resolutions

- Principal to Principal Discussions
- Mediation
- Arbitration
- Litigation/Trial

Conclusion

- Communication
- Collaboration
- Verification of Coverage
- Conduct Thorough Investigations
- Effective Litigation Management
- Assure Prompt, Fair Settlements

Thank you!