

Does a big claim scare you?

Excess insurance from LAWPRO can give you peace of mind

1. What is excess coverage?

Excess coverage is insurance that covers (for eligible claims) losses in excess of those covered under Ontario lawyers' mandatory professional indemnity coverage, up to a limit chosen by the insured. Unlike the primary layer of coverage, under which the lawyer him or herself is the insured, excess coverage covers the firm as a whole.

2. Is excess coverage a practice requirement?

No – excess is an optional coverage that lawyers can purchase as a “layer” of additional protection beyond the standard coverage that is mandated by the Law Society of Upper Canada.

3. Is excess coverage ever required for reasons other than practice eligibility?

Certain clients stipulate, as a condition of hiring a firm to represent them, that the firm show proof of professional indemnity coverage up to a stated limit (often \$10 million). Firms may take such stipulations into account when making a decision to purchase excess coverage, because the limits of the primary program are \$1 million per claim and \$2 million in the aggregate.

4. Is coverage restricted to lawyers in particular practice areas?

No – excess coverage can benefit lawyers in all areas of law, even in areas where lawyers don't represent clients with specific coverage stipulations. Even where clients are individuals (for example, in family,

real estate, or estates practice), increasing property values can mean higher potential losses from a single mistake.

5. How do I know if I need excess coverage?

Try our convenient online “stress test” at lawpro.ca/excesstest to determine your potential for a high-value claim.

6. Why might my need for coverage increase over time?

As a practice grows, potential exposure to risk grows. More closed files means there's a greater possibility that a past error will come to light and result in a claim. Adding new lawyers to the firm means a greater volume of work that, in itself, increases risk. And finally, as a lawyer's client base ages along with the lawyer, clients' net worth – and the financial risk of working with those clients – generally increases.

7. How likely is it that I will have a claim that will exceed the primary coverage limits?

One in every 150 lawyers will have a claim that exceeds the \$1 million mark.

8. How do I find out if I'm eligible for LAWPRO Excess coverage?

Simply contact LAWPRO's Customer Service and Underwriting Department at 416-598-5899 or 1-800-410-1013 and speak to any of our Program Coordinators to receive a no-obligation estimate. The estimate provided will be based on existing

information in our database such as firm size, practice circumstance, areas of practice, claims experience and other underwriting criteria.

9. What are the limits for excess coverage, and what are the premiums?

The following limits are above the \$1 million per claim/\$2 million in the aggregate limits provided under the primary LAWPRO program:

- \$1 million per claim/\$1 million in the aggregate
- \$2 million per claim/\$2 million in the aggregate
- \$3 million per claim/\$3 million in the aggregate
- \$4 million per claim/\$4 million in the aggregate
- \$9 million per claim/\$9 million in the aggregate

Premiums under the LAWPRO Excess Insurance program are underwritten and rated on an individual firm basis, based on a number of criteria including: the nature and size of the firm; individual lawyers' areas of practice; practice status; and loss exposure of firm members. For an indication of premiums for your firm, contact the LAWPRO Customer Service and Underwriting Department.

10. Where can I review the current LAWPRO Excess policy terms?

Review the current LAWPRO Excess policy at lawpro.ca/excess ■