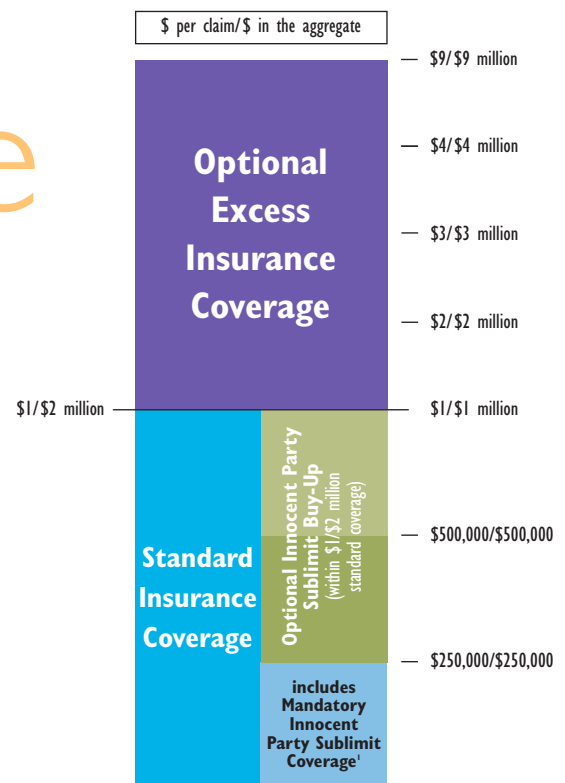


# 2013 insurance coverage

## for lawyers in private practice

Sole practitioners and lawyers in association or partnership



## Standard Insurance Coverage

### The base program

#### Eligibility:

Required of all lawyers providing services in private practice.<sup>2</sup>

#### Coverage limit:

\$1 million per claim/\$2 million in the aggregate (i.e., for all claims reported in 2013), applicable to claim expenses, indemnity payments and/or costs of repairs together.

#### Standard deductible:

\$5,000 per claim, applicable to claim expenses, indemnity payments and/or costs of repairs together.

#### Base premium:

\$3,350 per insured lawyer (plus PST).

### Mandatory Innocent Party Sublimit Coverage<sup>3</sup>

#### Eligibility:

Required of all lawyers practising in association or partnership (including general, MDP and LLP partnerships), law corporations (with more than one lawyer) and sole practitioners practising with employed lawyers.

#### Coverage sublimits:

\$250,000 per claim/in the aggregate, applicable to claim expenses, indemnity payments and/or costs of repairs together.

#### Premium:

\$250 per lawyer (plus PST).

### Mandatory Real Estate Practice Coverage (for real estate practitioners)

#### Eligibility:

Required of all lawyers practising real estate law in Ontario in 2013.

Lawyers not eligible for the Real Estate Practice Coverage are:

- Those who are in bankruptcy;
- Those who have been convicted or disciplined in connection with real estate fraud;
- Those under investigation, where the Law Society obtains: An interlocutory suspension order or a restriction on the lawyer's practice prohibiting the lawyer from practising real estate; or an undertaking not to practise real estate.

#### Coverage limit:

\$250,000 per claim/\$1 million in the aggregate, applicable to claim expenses, indemnity payments and/or costs of repairs together.

A "repair" is work done by LAWPRO internal or external counsel to avoid or minimize consequences of an error. For examples of our repair work, see: "How remedial action by LAWPRO saves the bar millions", from Volume 11.2 of LAWPRO Magazine ([www.practicepro.ca/remedial-action](http://www.practicepro.ca/remedial-action)).

#### Premium:

\$250 per lawyer (plus PST).

## Optional Insurance Coverages

### Innocent Party Sublimit Buy-Up<sup>4</sup>

#### Eligibility

Optional for all lawyers practising in association or partnership (including MDPs, licensee firms, and LLPs), law corporations (with more than one lawyer) and sole practitioners practising with employed lawyers.

#### Coverage sublimits & premiums:

Innocent Party Sublimit Coverage can be increased as follows:

- to \$500,000 per claim/aggregate for an additional \$150 per lawyer (\$400 total Innocent Party premium); or
- to \$1 million per claim/aggregate for an additional \$249 per lawyer (\$499 total Innocent Party premium).

### Optional Innocent Party Sublimit Coverage<sup>4</sup>

#### Eligibility:

Optional for sole practitioners, licensee firms with only one lawyer, and lawyers practising alone in a law corporation. Provides protection for ongoing liability that these practitioners can have in situations such as the following:

- if you've acted as back-up counsel or had others act as back-up counsel for you;
- if you've taken a temporary leave of absence from your practice and have delegated your work to others;
- if you've practised as a partner or associate in the past;
- if your practice once included employee lawyers;
- if you've practised in any situation in which you could be seen as lending your name to others;
- as an assurance to others if involved in electronic registration and escrow closings;
- if acting as a *locum*, you must carry at least the same amount of innocent party sublimit coverage as is carried by lawyers in the firm that has hired you.

*Innocent party coverage can help protect lawyers who've changed firms or practice arrangements. For more information, see: "Here today, gone tomorrow: Insurance implications of lawyer transfers & practice structures" from LAWPRO Magazine Volume 11.1 ([www.practicepro.ca/transfer-implications](http://www.practicepro.ca/transfer-implications)).*

#### Coverage sublimits:

LAWPRO offers Optional Innocent Party sublimits of:

- \$250,000 per claim/aggregate;
- \$500,000 per claim/aggregate;
- \$1 million per claim/aggregate.

#### Premiums:

Underwritten on an individual basis, based on a risk assessment of information provided in the Innocent Party Sublimit Buy-Up application.

## Excess Insurance Coverage

#### Eligibility:

Available to lawyers in private practice, and to lawyers with Run-Off Coverage protection, bought up to the \$1 million/\$2 million level.

#### Coverage limits:

The following Excess limits are above the \$1 million per claim/\$2 million in the aggregate limits of the primary program. Coverage is provided on a firm basis (i.e., for all firm lawyers for services on behalf of the firm):

- \$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.

*Do you need Excess coverage? Read the articles on page 2 of this issue to be sure. To learn more about the growth we've been seeing in claims costs, see: "Top 10 reasons we're in a \$100 million world" from LAWPRO Magazine Volume 11.4 ([www.practicepro.ca/reasons-100M-claims-world](http://www.practicepro.ca/reasons-100M-claims-world)).*

#### Premiums:

Underwritten on a firm basis, based on a risk assessment of information provided in the Excess Insurance application.

## For information

For detailed information on the insurance programs and insurance options, or for application forms, please visit the LAWPRO website at [www.lawpro.ca](http://www.lawpro.ca).

Information is also available from the LAWPRO Customer Service Department at (416) 598-5899 or 1-800-410-1013 or via e-mail: [service@lawpro.ca](mailto:service@lawpro.ca).

<sup>1</sup> Optional for sole practitioners.

<sup>2</sup> Lawyers who are on temporary leave and qualify for exemption (c) are provided with the full limit coverage of \$1 million per claim/\$2 million in the aggregate provided under the base program.

<sup>3</sup> Coverage for dishonest (as defined), fraudulent, criminal or malicious acts or omissions.

<sup>4</sup> LAWPRO strongly recommends that lawyers increase their optional coverage protection to the maximum sublimit offered, to avoid gaps in coverage.