



## Affinity Programs

# Lawyers' Professional Liability Policy Highlights

- **Limits of Liability** range from a minimum of \$100,000 per claim/\$300,000 aggregate up to a maximum of \$10M/\$10M. Claims expense outside limits coverage is available, subject to underwriting.
- **Deductibles** range from \$1,000 to \$250,000 on either aggregate or per-claim basis. Optional first dollar defense coverage is available, subject to underwriting.
- By endorsement to the policy, **claims** may be handled by defense counsel mutually agreed upon by law firm and the carrier.
- **Broad definition of "Legal Services"** includes Arbitrator, Mediator, Title Agent, Notary Public, Expert Witness, Author/Publisher/Presenter of legal research papers, materials or seminars and customary Fiduciary Capacities such as Administrator, Conservator, Executor, Trustee and Guardian, together with investment advice given in connection with such fiduciary services.
- **Broad definition of "Insured"** includes the Firm, Predecessor Firm and Lawyers within the Firm, who are Partners, Associates, Directors, Officers and Employees; including lawful spouse or domestic partner of an Insured; covers Of Counsel and Independent Contractors for work performed on behalf of the Firm; also includes those lawyers within the Firm who are government affairs advisors or lobbyists.
- **Supplementary payments up to \$500** per day for loss of earnings while in attendance at a trial, hearing, arbitration proceeding or mediation for a covered claim against the Insured. Maximum limit is \$15,000 per Insured. Maximum aggregate limit per policy period is \$50,000 despite the number of Insureds or the number of such proceedings.
- **Supplementary payments of up to \$25,000** per policy period for reimbursement of attorney fees and other reasonable costs or expenses incurred in responding to a Program demand pursuant to the recovery rights of the Centers for Medicare and Medicaid Services (CMS) under the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA), regardless of the number of such demands or the number of Insureds subject to such demands.
- **Supplementary payments up to \$20,000** for attorney fees, attorney costs and court costs incurred in responding to a regulatory investigation arising from an actual or alleged violation of a privacy breach notice law that occurred during the Insured's rendering of legal services, regardless of the number of investigations or the number of Insureds who are subject to such investigations.
- **Supplementary payments up to \$50,000** for each Insured and all Insureds in the aggregate for attorney fees and other reasonable costs, expenses or fees resulting from any one Disciplinary Proceeding received by the Insured and reported to the Company during the policy period involving covered legal services. Maximum limit is \$100,000 despite the number of proceedings.

In the event of a determination of No Liability, the Company will reimburse the Insured up to a maximum of \$100,000 regardless of the number of Insureds or the number of proceedings.
- **Supplementary payments up to \$20,000** for reasonable fees, costs and expenses incurred by the Named Insured for consulting services provided by a public relations firm in response to a crisis event as defined in the policy.
- **Privacy Claims included in definition of "claim,"** affording coverage for claims alleging privacy injury and identity theft that occurred in the rendering of legal services.
- **Client Network Damage Claims included in definition of "claim,"** affording coverage for claims alleging that a security breach or electronic infection caused network damage to a client's network in the rendering of legal services.

- **50% reduction of the deductible**, up to a maximum of \$25,000, if mediation of a claim takes place either without institution of arbitration proceeding or service of suit or within 60 days of the institution of such proceedings or service of suit, and the claim is resolved by the process of mediation. By endorsement to the policy, the deductible will be reduced by 50%, up to a maximum of \$25,000, if a claim is resolved within 364 days of its reporting to the Company for an amount recommended to the Insured by the Company.
- **50% reduction of the deductible**, up to a maximum of \$25,000, if the Insured utilized an engagement letter, as defined by the policy, in connection with the legal services that are the subject of a claim.
- **Assistance in responding to a subpoena** arising out of legal services rendered by an Insured, including production of documents and preparation of sworn testimony, provided the subpoena arises out of a civil lawsuit to which the Insured is not a party.
- **Coverage is provided** for claims arising out of legal services by an Insured rendered to another Insured as a client.
- **Optional Extended Reporting Period** is available for a one-year, two-year, three-year or six-year period or for an unlimited period.
- **Non-Practicing Extended Reporting Period** at no extra charge for retiring or non-practicing lawyers who have been continuously insured by the Company for at least three consecutive years.
- **Death or Disability Extended Reporting Period** at no extra charge.
- **No deductible applies** to claims first made against the Insured and reported to the Company during the death or disability or non-practicing extended reporting periods.
- **Full Prior Acts Coverage** available.
- **Broad Settlement Clause:** The policy requires the Insured's consent to settle a claim. No "hammer clause."
- **Pro Bono Deductible Waiver** waives deductible obligation for a claim arising from pro bono legal services.

### CNA's Commitment to the Profession

- Largest writer of Lawyers Professional Liability insurance for law firms of every size in the U.S.
- More than 60 years of experience insuring attorneys in the private practice of law
- More than 200,000 attorneys insured with the Program
- Endorsed by some of the largest state bar programs in the country including: Colorado, Connecticut, Iowa, Louisiana, Massachusetts, New York and Pennsylvania
- Largest writer of federal and state judges professional liability in the U.S.
- Rated "A" (Excellent), XV (> \$2 billion) by A.M. Best
- Providing Risk Control Seminars (CLE approved) with premium discounts for more than 20 years
- Five dedicated attorneys who work exclusively with lawyers and law firms lead CNA's LPL risk control program
- Risk Control Hotline, staffed by CNA risk control team, provides CNA policyholders with a resource for discussing issues and questions that arise in the day-to-day practice of law.
- Risk Control practice aids and e-newsletter available to insureds at no additional charge
- Live Risk Control Seminars provide valuable instruction, practical guides, checklists and risk control recommendations to help firms navigate today's complex legal environment. These courses also may qualify for CLE credit.
- Launched market-leading Engagement Agreement initiative in 2013 to assist the Legal Services Industry in managing and mitigating their risk.
- Underwriting, Claim and Risk Control headed by former private practitioners
- More than 20 dedicated Claim Counsel and Claim Professionals with extensive lawyers professional liability experience
- Panel Defense Counsel comprised of state and regional law firms across the country with extensive experience and commitment to the profession
- 24/7 connectivity to CNA and its exclusive State Administrators via [www.cna.com/agentcenter](http://www.cna.com/agentcenter) by logging onto [lawyersinsurance.com](http://lawyersinsurance.com)
- Employed Lawyers Program (20+ years) providing coverage to lawyers employed by corporations
- Allied vendor program provides valuable practice management, IT and research services at

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