

What to expect when reporting a legal malpractice claim or potential claim

Insurance products underwritten by Westport Insurance Corporation and First Specialty Insurance Company, Kansas City, MO, a member of Swiss Re Corporate Solutions.

1. To report a new claim or potential claim to Swiss Re Corporate Solutions, the policyholder should provide his or her policy number, contact information and description of the claim or potential claim as required and detailed under the "Reporting and Notice" condition of the policy. The subject line should indicate that the report is a "New claim."
2. Upon receipt of the submission, an experienced claims professional will contact the policyholder, generally within 24 hours, and will discuss the circumstances of the claim or potential claim in detail.
3. In the event that Swiss Re Corporate Solutions issues a reservation of rights letter. Swiss Re Corporate Solutions, per the terms of the letter, will still provide a defense for the claim. Swiss Re Corporate Solutions will discuss the letter with the policyholder prior to its issuance.
4. The claims professional assigned to the claim will normally be with the policyholder for the life of the claim. Most of Swiss Re Corporate Solutions claims professionals handling legal malpractice claims are licensed attorneys with an average of over 20 years in the insurance industry. The claims professional will work with the policyholder to mitigate the situation and develop a resolution strategy. The claims professional generally will not contact the claimant without speaking with the policyholder first.
5. If the claim is in suit, working with the policyholder, the claims professional will hire a specialized attorney to defend the policyholder. We have access to a highly experienced panel of attorneys who specialize in defending claims against attorneys. If the policyholder reports a potential claim, the claims professional may offer pre-suit counsel if they determine pre-suit counsel is appropriate. The claims professional will always discuss the selection of defense counsel with the policyholder.
6. If defense counsel is hired, defense counsel will contact the policyholder as soon as possible. Defense counsel will work in collaboration with the policyholder and the claims professional to develop an appropriate strategy for resolution or defense of the claim.
7. If the deductible applies to expenses, defense counsel will be instructed to bill the policyholder until the deductible is satisfied. Thereafter, Swiss Re Corporate Solutions will provide payment to the defense firm.
8. We recognize that the policyholder's reputation is at stake. If the claims professional believes that a settlement is appropriate, they will discuss all pertinent facts and settlement options with the policyholder. The policyholder's consent is necessary before any settlement agreement can be reached.
9. Please note that the Swiss Re Corporate Solutions policy sets forth that the policyholder should refrain from hiring counsel, admitting liability, settling any claims, assuming any obligations, or waiving any rights absent prior written approval from the claims professional.
10. We will work to reach a favorable resolution as quickly as possible. Once a resolution is reached, the claim will be closed.
11. Swiss Re Corporate Solutions also urges the policyholder to review his or her policy in detail as not all provisions and details of coverage can be fully explained herein.

Documents should be sent using any of the following methods

Preferred method:

Email: ClaimsNAFinPro_CorporateSolutions@swissre.com

U.S. mail:

**First Specialty Insurance Corporation
or Westport Insurance Corporation
Attention: Corporate Solutions Claims**
1200 Main Street, Suite 800
Kansas City, MO 64105

Contact us to learn more

For more information on the Lawyers Professional Liability team of Swiss Re Corporate Solutions and the wide array of innovative services and solutions we can provide, please contact

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