

Alert to Lawyers Insured by American National Lawyers Insurance Reciprocal (ANLIR)

As many lawyers now know, the American National Lawyers Insurance Reciprocal (ANLIR) is in receivership in Tennessee, the place of ANLIR's domicile. Its reinsurer, Reciprocal of America (ROA), is also in receivership in Virginia. As a result of these events, defense costs and claims are not being paid by ANLIR. Renewal premiums paid by subscribers prior to initiation of the receiverships are in the hands of the receiver. ANLIR policyholders are being advised by the bar's risk manager to seek replacement coverage with another carrier in light of the fact that effective coverage under their present policies is unlikely in the foreseeable future.

Lawyers registered with the bar as settlement agents under the Consumer Real Estate Settlement Protection Act (CRESPA) must certify that they have in full force and effect: "A lawyers' professional liability insurance policy issued by a company authorized to write such insurance in Virginia providing first dollar coverage and limits of at least \$250,000 per claim . . ." They must also certify that such coverage "will be maintained in full force and effect throughout the time the attorney settlement agent acts, offers or intends to act in that capacity."

Given that ANLIR is no longer authorized to issue policies in Virginia and is incapable of presently providing the coverage required under the Act, lawyers serving as CRESPA registered settlement agents, to remain in compliance with the Act, must obtain professional liability insurance from another company authorized to write such insurance in Virginia.

Similarly, ANLIR-insured lawyers who certified on their annual dues statement in 2002 that they were "currently covered by a professional liability insurance policy" must also seek replacement coverage from another carrier authorized to write such insurance in Virginia, or, alternatively, check the "No" box when filling out their 2003 annual dues statement liability insurance certification, indicating that they do not currently have liability insurance.

If you have any questions concerning the ANLIR or ROA receiverships or need further information, please go to <http://www.vsb.org/malpractice/index.html>.

Special Notice to ANLIR Insureds

There may be Virginia lawyers who had their malpractice insurance with ANLIR, and against whom claims are or may be pending in the future that ANLIR would have been obligated to pay or defend but for the currently pending receiverships involving ANLIR and its principal reinsurer. In order to assist lawyers in finding counsel to defend them in such matters, the VSB Lawyer Malpractice Insurance Committee requested the help of the Virginia Association of Defense Attorneys in identifying from among its member attorneys with lawyer malpractice defense experience those who would make themselves available to assist colleagues at the bar who are faced with defending a claim as a result of the ANLIR situation. We are grateful to the VADA for its assistance.

The attorneys listed below have agreed to consider serving in the situations outlined above if requested. As with any representation, the fees and billing arrangements should be established at the outset of the representation on a case by case basis.

Of course, the individual experience and credentials of persons on the list have not been independently evaluated by the VSB or its Malpractice Insurance Committee, and no representation is made in that regard. The list is provided solely as a resource for members of the bar who are or may be faced with a difficult and unusual situation as a result of the ANLIR/ROA receiverships.

ABINGDON

The Law Office of Penn,Stuart & Eskridge

Caldwell,Daniel H. Penn,Stuart & Eskridge

ALEXANDRIA

Carter, Richard D. Carter & Coleman, P.L.C.

Coleman,Douglas M. Carter & Coleman, P.L.C.

Miller, Juliane C. Carter & Coleman, P.L.C.

Cyron, Wayne F. Cyron,Miller & Lang,LLP

Lang, Marie D. Cyron,Miller & Lang,LLP

Miller, Lowry J. Cyron,Miller & Lang,LLP

Draim, Robert E. Hudgins Law Firm

Hudgins, David D. Hudgins Law Firm

McDonnough,Sean C.E. Hudgins Law Firm

Frank,Jr., Grady C. LeClair Ryan,PC

ARLINGTON

The Law Office of Hartel,Kane, DeSantis,

MacDonald & Howie, LLP

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Burkholder, Christen W. Christen W. Burkholder, P.C.

The Law Office of Penn,Stuart & Eskridge

Ladd,Jr., Richard E. Penn,Stuart & Eskridge

CHARLOTTESVILLE

Morin,Donald R. Morin & Barkley

CHESTERFIELD

Roberts, Jr.,Philip E. Philip A.Roberts, Jr., P.C.

DANVILLE

Monioudis, Anthony H. Woods, Rogers &

Hazlegrove, PLC

Morrison,Jr.,Robert L. Robert L.Morrison,Jr., P.C.

FAIRFAX

The Law Office of Boone & Associates, P.C.

Boone, Sr.,Richard W. Boone & Associates, P.C.

Appler, Thomas L. Hancock,Daniel,Johnson
& Nagle

Carstens, John H. Jordan Coyne & Savits, L.L.P.

Easton, John O. Jordan Coyne & Savits, L.L.P.

Stone, Carol T. Jordan Coyne & Savits, L.L.P.

McGavin, John D. Trichilo, Bancroft,McGavin,
Horvath & Judkins, P.C.

FREDERICKSBURG

Bricken, Thomas L. Sands, Anderson, Marks & Miller

GLEN ALLEN

Samet,Richard S. Goodman,Allen & Filetti,PLLC

Harman,Michael E. Harman,Claytor, Corrigan
& Wellman,PC

HARRISONBURG

The Law Firm of Wharton Aldhizer & Weaver

Frank Hilton Wharton Aldhizer & Weaver

Greg St. Ours Wharton Aldhizer & Weaver

Marshall Ross Wharton Aldhizer & Weaver

LYNCHBURG

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Alexander & Yeatts, P.C.

Cook, John T. Carkie & Frost, P.C.

MCLEAN

Santoni, Cynthia L. Miles & Stockbridge P.C.

Howell, Danny M. Sands, Anderson,Marks & Miller

Levy, Paige A. Sands, Anderson,Marks & Miller

Schraub, J. Jonathan Sands, Anderson, Marks & Miller

MECHANICSVILLE

Russell,Jr., Wesley G. Gould, Redmond & Russell, PC

MIDLOTHIAN

Nanavati, Mark C. Sinnott,Nuckols & Logan, P.C.

NEWPORT NEWS

Windsor, James L. Kaufman & Canoles

Barnes, Jeff Waddell & Barnes, P.C.

Waddell, W. Charles Waddell & Barnes, P.C.

NORFOLK

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& Saunders, P.C.

Saunders, Richard A. Furniss, Davis, Rashkind

& Saunders, P.C.

Charters, A. William Goodman,Allen & Filetti,

PLLC

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Devine, William F. Hofheimer Nusbaum, P.C.

Mofield, Kelly E. Hofheimer Nusbaum, P.C.

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Hogge, Jr.,Raymond L. Payne, Gates, Farthing

& Radd, P.C.

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Pearson,Jr., John Y. Willcox & Savage, P.C.

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Hanes, L.Thompson Sands, Anderson, Marks & Miller

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Attorney at Law

Cowan, Frank N. Cowan & Owen P.C.

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Marshall,Bruce M. DuretteBradshaw PLC

Pope, Barrett E. DuretteBradshaw PLC

Jensen, Eric S. Jensen & Associates, P.C.

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& Messersmith, P.C.

Montgomery, W. Barry Kalbaugh,Pfund

& Messersmith, P.C.

Stutts, Elizabeth Butterworth Kaufman & Canoles

Fitzpatrick, John M. LeClair Ryan,PC

Meyer III,Charles G. LeClair Ryan,PC

Mullen,Dale G. LeClair Ryan,PC

Palais, Douglas M. LeClair Ryan,PC

Sims, Charles M. LeClair Ryan,PC

Busch,Stephen D. McGuireWoods LLP

Midkiff, Charles F. Midkiff, Muncie & Ross, P.C.

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Morris III, James W. Morris and Morris, P.C.

Ward,Michael R. Morris and Morris, P.C.

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Catlett,Jr., John B. Sands, Anderson, Marks & Miller

Geiger, Jeffrey H. Sands, Anderson, Marks & Miller

Hardy, Margaret F. Sands, Anderson, Marks & Miller

Hearn,David W. Sands, Anderson,Marks & Miller

Hudson,Lisa T. Sands, Anderson,Marks & Miller

Jacob, Brad C. Sands, Anderson,Marks & Miller

Jordan,Elaine R. Sands, Anderson,Marks & Miller

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Pitney, Brian R. Sands, Anderson,Marks & Miller

Roeber, Kenneth T. Sands, Anderson, Marks & Miller

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Spalding III, Henry C. Sands, Anderson, Marks & Miller

The Law Firm of Schaffer & Cabell, P.C.

Childress, Jr.,R. Paul Thompson,Smithers, Newman,

Wade & Childress, LLP

Mulligan, Michele A. Thompson,Smithers, Newman,

Wade & Childress, LLP

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Special Notice—

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Bayliss, William D. Williams, Mullen, Clark & Dobbins, P.C.
Walker, James W. Wright Robinson Osthimer & Tatum
Wright, Murray H. Wright Robinson Osthimer & Tatum

ROANOKE

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Ziogas, Robert A. Glenn, Feldmann, Darby & Goodlatte
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Barnhill, D. Stan Woods, Rogers & Hazlegrove, PLC
Blair, Kevin S. Woods, Rogers & Hazlegrove, PLC

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Casola, Francis H. Woods, Rogers & Hazlegrove, PLC
Jennings, Jr., James W. Woods, Rogers & Hazlegrove, PLC
Leggette, Thomas A. Woods, Rogers & Hazlegrove, PLC
Hart, David WootenHart PLC
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Stevens, Chris WootenHart PLC
Waddell, Susan A. WootenHart PLC

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Crenshaw, Ann K. Lawson & Silek, P.L.C.
Lawson, Thomas M. Lawson & Silek, P.L.C.