



## **SPECIAL COMMITTEE ON LAWYER MALPRACTICE INSURANCE**

*Darrel Tillar Mason, chair*

The Lawyer Malpractice Insurance Committee (LMIC) has been active and productive in the 2005–2006 Virginia State Bar year.

During fall 2005, LMIC members participated in the presentation of ten interactive Risk Management Seminars by the bar's endorsed malpractice insurance carrier, Attorneys Liability Protection Society (ALPS). These programs were held throughout the state, were open to all members of the bar at no cost, and carried three hours of continuing legal education ethics credit. More than fifteen hundred lawyers took advantage of this opportunity to engage in a discussion with professional risk managers, bar counsel staff and each other about ethical issues that face lawyers who practice in the commonwealth.

As a major focus this year, in response to a request by the Supreme Court of Virginia, an LMIC subcommittee was engaged in assessing where Virginia's malpractice insurance procedures fit in the spectrum of malpractice insurance procedures utilized across the country. The subcommittee considered ways to strengthen the VSB's malpractice insurance disclosure requirement. Additionally, the subcommittee explored models of mandatory malpractice insurance programs. A comprehensive report was presented to the VSB Council at its June 2006 meeting and forwarded to the Supreme Court.

The LMIC continued in its role of directing the VSB's endorsed malpractice insurance carrier, Attorneys Liability Protection Society, as to the allocation of the Risk Management Fund made available through this endorsement. In addition to underwriting the statewide seminars, the fund supported a confidential risk management hotline, voluntary

solo and small-firm audits, and the publication of articles in the VSB's *Virginia Lawyer* magazine related to risk management topics. Finally, the LMIC began to develop a new risk management presentation that would be available to local bar associations.

