

Please make any comments you would like regarding your coverage or lack of coverage:

I have a pro bono emeritus license, and the pro bono work I do is for programs that offer blanket malpractice coverage.

I am an in-house lawyer who does not require malpractice insurance

I'm nearly retired.

The amount of coverage should depend on the legal services you are providing and potential amount of potential claim.

My practice is almost exclusively doing research and writing for other lawyers. They understand they exercise supervisory control and have ultimate responsibility for the work product. That said, however, I supply them meticulously researched and written work product.

I work for a corporation and am not required to have, nor could I obtain malpractice insurance if I wanted to, or had a reason to. You need to be more specific in your questions.

Coverage is \$1,000,000 per claim with \$2,000,000 aggregate. I firmly believe that all attorneys should be required to carry malpractice insurance or, if they do not carry malpractice insurance, they should be required to disclose to each and every client that they do not.

I have retired but currently licensed until 6/30/21. I canceled my coverage at the end of January 2021. I have a lifetime tail policy.

It's a personal decision and the bar should stay out of it.

I am limiting my practice and will retire once some pending work is completed. I want the freedom to operate this way and am willing to take the risk. It also makes me be very careful.

My coverage more than covers most of my anticipated risk, including some cyber issues. I do wish it were cheaper, though.

\$750,000 per claim with defense provided. Your claims limits questions are not detailed enough to do much useful analysis from, especially when looking at affordability and compensation/damages.

I work for the government.

Although I have maintained my license (my wife asks me why!), I am no longer practicing.

Should be mandatory.

I do not carry malpractice insurance because I primarily serve in a non-legal role for the nonprofit organization I work for. I keep my Vermont law licensure active to keep options open in case I ever decide to change careers to pursue legal position.

I work for State Government

Too expensive and not generally needed for my practice.

As an associate I actually don't know what the limits of my coverage are.

Details are: Limit of Liability: \$1,000,000 Each Claim*; \$2,000,000 Aggregate Deductible: \$2,500 Each Claim*; First dollar defense

There isn't good information sharing among the bar about different malpractice carriers and typical rates. I don't know if what I pay is high, low or somewhere in the middle. And I only know of other carriers through solicitations I receive.

Self insured.

I have an active license but am not currently practicing law.

No need for coverage since I'm not practicing (but I'm keeping my license current....just in case and/or when my child is older)

In times of volatile economic conditions malpractice insurance rates can also be volatile. For example, after 9/11, with one small claim, against a lawyer in our firm who retired due to his error, ALPS assigned our firm to its newly created high risk, for profit subsidiary . Our rates had for many years been in the \$9,500 to \$12,000 a year range for 9 to 10 lawyers. That year our ALPS quote went to \$95,000. We sought other coverage, and found that the rates had skyrocketed. We paid \$45,000.

I am retired from a firm, and have "tail" coverage for claims based on previous work. If I were to begin working again as an attorney, I would obtain coverage.

I have a pro bono emeritus license, and don't have malpractice insurance. However, the pro bono work that I do is through the VBA or the VLA programs that offer blanket malpractice coverage.

Your categories are a little strange. There is a substantial difference between \$500,000 and \$1M - I would have separate categories for \$500K and \$1M

Covered by other entities (such as contacting law firm.)

Basically retired

We have \$2M limits and for some cases that might not be enough.

Not actively practicing but have tail coverage from my former firm

We have always had coverage. When I became a solo last year the premium per attorney went up and was advised I didn't qualify for free tail insurance unless I practiced as a solo attorney for 5 years more.

I'm in private practice with a Defender General contract. I also participate in some legal referral services that require coverage. Coverage is mandatory for the contract however I would have coverage even if it were not.

My prior employers (firms) always carried coverage for me, but I don't know the limits or amounts. I am also licensed in MA, where coverage is required for anyone practicing there.

As in-house counsel I do not need coverage

Years ago I assisted a person who had been pro se with a case which had only nuisance value. I informed the client of the SoL. We had a mixup of communications and, while we were talking with the adjuster about accepting \$2500 that the adjuster had offered, we both failed to say yes to the adjuster until the day after the SOL. Before notifying the carrier, I told the client I would pay the \$2500. The carrier dropped me. It was very difficult to find replacement coverage. That was very scary.

work part time - about 5-10 hrs a week

I have retired but keep my license active. I have only tail coverage.

It is unclear whether I will ever practice law in Vermont, so I do not feel the urge to persuade Dentons to take out more insurance.

I have whatever coverage is provided through my firm but I do not have any information regarding this.

Will soon (July 1) return to active status.

I do believe that malpractice coverage should be mandatory, and that the committee should consider minimum insured requirements which I believe should be at least 1 million per claim, depending upon the type of practice of the attorney or the law firm involved. If the professional work undertaken by the attorneys create significantly more exposure in the event of error or omission, then the Minimum insurance requirements should be increased from the above recommendation.

Since I am an in house counsel, I don't need insurance.

I don't know my policy limits because I don't handle that.

I believe the AGO maintains coverage for the lawyers of the office.

I'm a new associate. I don't know the limit levels for my firm's coverage.

500,000 per claim, 1,000,000 aggregate

Coverage for me is tricky because I am a professor and not in a clinic. For discrete pro bono activities for which the school authorizes student involvement, I have coverage through the school's umbrella policy. For other pro bono activities, but only those coordinated with Bar approval, I have coverage through the Bar's pro bono clinic policy. Otherwise, I cannot on my salary afford to carry my own coverage in the unlikely event I do client work through some other avenue while in this job.

Given that the nature of my business primarily involves consulting and working with "active" lawyers/attorneys, coverage doesn't make much sense. Why pass along an unnecessary, additional expense to clients?

I have been covered by a firm for part time work in one particular practice area, but then performed work on the side that is not covered. This includes volunteer work or casually helping a friend on a small issue. I have been a full-time contractor for a startup which included legal and other work. In that situation, I don't know if I would technically be considered in-house counsel under NH Rule 1.19(c) for example. If malpractice were required, that business would not have started.

i would go into inactive status if i had to have insurance. i generate no funds for the pro bono work i do and file no cases in court or really have "cases". my work is very limited and relates to individual

instances of advice on discreet issues related to assisting people with regard to the workings of local government so they can have their voices heard.

10. What are the reasons to not require coverage?

I don't favor requiring malpractice coverage, without knowing all the reasons why someone might opt to not have coverage. I do favor requiring disclosure.

It's their choice as to what kind of risk they are willing to bear.

For in house counsel, I believe the employer can assess the risks in consultation with the counsel. For private practitioners, I believe malpractice insurance should be required in an amount commensurate with the risks of the practice area(s).

Government attorneys shouldn't be required to have malpractice insurance

Should remain voluntary.

I think it should be up to the attorney to decide.

If someone is an active licensed lawyer but they are counseling clients they should not be required to get insurance.

if active and only doing pro bono or mediation, coverage may not be needed

In-house lawyers have a single client (the corporation).

Being nearly retired.

I feel that malpractice insurance is a scam. Some years ago I fell into financial difficulty, and failed to renew my MP insurance because I didn't have money for the premium. When I attempted to re-up, the gap meant that all my prior acts were not covered, because the insurance was on a claims-made basis. I am left feeling that all my premium payments were for nothing, and that the protection afforded was illusory. I will never purchase MP insurance again unless legally required.

You said all Vermont lawyers with an active license. There are many attorneys who work for corporations, state agencies, not in practice, all of whom have licenses, none of whom could procure insurance if required. If you meant to say - all attorney representing clients or in private practice, or otherwise properly stated the question, then the answer would be "probably".

It is exceedingly rare for an employer to pursue a civil claim for malpractice against in-house counsel or decline to provide a defense to civil claim asserted by a third party. Employed Lawyers Insurance is available and affordable, but should be optional.

An active license may not mean a lawyer is doing private practice. Requiring malpractice insurance to do private practice would prohibit a person who is doing a light or occasional practice and may make entry into private practice prohibitively expensive.