Loss Prevention Services for Law Firms

Aon is the only broker with dedicated loss prevention specialists for law firms. Our loss prevention efforts are carefully tailored to our clients' needs based on our team's substantial experience.

"Loss prevention" is the process of identifying and avoiding or minimizing the liability and professional responsibility risks threatening law firms. Loss prevention is critical to law firms. Even where allegations against a firm are found to be groundless, or the amount in controversy is relatively insubstantial, a firm's or lawyer's reputation may be compromised, or a client relationship jeopardized.

- In the past two decades there have been dozens of publicly-reported settlements by, and verdicts against, large and sophisticated law firms exceeding $20 million;
- Claims data reveal a number of recurring professional liability challenges for law firms of all sizes and across all practice areas;
- Many fine law firms and lawyers have been disqualified in representations because of conflicts of interest; and
- Partners and associates too numerous to number have been exposed to professional discipline and criminal prosecution for all manner of offenses.

Aon is the only broker with a dedicated, comprehensive loss prevention approach.

Our Professional Services practice focuses on the specific needs of professional service firms.

We have long been committed to assisting our law firm clients in their loss prevention efforts.

Our loss prevention efforts are carefully tailored to our clients' needs and interests based on our team's substantial experience.

Our studies of law firm claims and the law firm general counsel role lead the profession.

Our team has global loss prevention capabilities, with one of our members based in London.

The team is comprised of former partners in large law firms with years of experience in loss prevention, ethics advice, and professional liability.

Our services are provided exclusively to our clients ***at no cost to them***.

We regularly make presentations to our client firms in their offices and at retreats and special events.

We're here to empower results

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Empower Results®

Loss Prevention Services

Our loss prevention efforts are proactive rather than reactive, and we work cooperatively with our clients to help them achieve their goals. All of our services are free to our clients. Key service components include:

- **Telephone Consultation.** If a client has a question or concern relating to a potential conflict of interest, professional responsibility issue of any type, professional liability problem, partnership or shareholder dispute or issue, or any other risk management matter, a representative of the firm may call our team to discuss the situation in confidence.

- **"In Person" Consultations / Firm Reviews.** Our team routinely travels to client firms to consult on sensitive liability and ethics issues affecting the firm or its lawyers. We also visit firms to review their loss prevention policies and procedures and, if necessary, suggest refinements or enhancements.

- **Programs and Presentations.** Our team is regularly asked to speak to clients on ethics and loss prevention subjects. Our presentations generally qualify for CLE credit, including special ethics or professional responsibility credits. While we routinely deliver customized programs, representative loss prevention programs and presentations include:

  - The Attorney-Client Privilege, Work Product Doctrine, and Confidentiality
  - Client fraud and misconduct
  - Fraud and misrepresentation claims against lawyers
  - Conflicts of interest
  - Data security
  - Multijurisdictional practice/unauthorized practice of law
  - Litigation ethics
  - The law firm liability terrain
  - Opinion practice
  - Ethics for supervisory and subordinate lawyers
  - Ethics of hourly billing and other common billing arrangements
  - Ethics and liability issues in transactional practice
  - Lawyer impairment

- **E-mail Bulletins.** When we learn of an important and timely ethics or loss prevention development, or identify subjects that warrant updating, we send e-mail bulletins.

- **Quality Assurance Review.** The Quality Assurance Review is our journal of significant loss prevention, insurance, and practice management issues. It is published quarterly.

- **Case Studies.** From time-to-time, we learn of interesting cases that hold great educational value. Where possible, we distribute copies of important documents from the case coupled with explanatory memoranda based upon our conversations with participants and observers. The memoranda typically discuss key aspects of the case and offer lessons to be learned for our clients.

- **Monographs.** We have, on average, distributed one book-length monograph per year. Recent monographs include *The Attorney-Client Privilege and Associated Confidentiality Concerns in the Post-Enron Era, Litigation Ethics, Lawyers' Professional Responsibilities and Liabilities in Negotiations, Fraud and Misrepresentation Claims Against Lawyers,* and *Core Concepts for Evaluating Concurrent Conflicts of Interest*. Because our monographs are exhaustively researched, they are valuable reference materials.

- **Forms and Policies.** We maintain model forms and prototype policies for clients covering a multitude of topics and issues. We also maintain a library of prototype letters, such as engagement letters, disengagement letters, and the like.

- **Symposium and Regional Meetings.** Every October, we host a two-day symposium for client firms addressing a wide variety of timely loss prevention topics. The speakers include leading practitioners and scholars. We also host regional meetings to discuss timely ethics and loss prevention issues, and to foster communication among loss prevention partners and general counsels at client firms.