



LAWPRO Submission on
*Family Legal Services Provider
Licence Consultation*

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Preface

Lawyers' Professional Indemnity Company (LAWPRO®) welcomes the opportunity to make submissions in response to the Law Society of Ontario's *Family Legal Services Provider Licence* Consultation ("the Consultation").

LAWPRO is a wholly Canadian owned insurance company. LAWPRO provides more than 29,000 Ontario lawyers and their paralegal co-owners with cost-effective professional liability insurance, expert claims administration, and proactive risk and practice management initiatives to help prevent claims. Through its practicePRO® initiative, LAWPRO educates lawyers on where and why malpractice claims occur, and provides tools and resources to reduce their claims exposure. Through its TitlePLUS® operation, LAWPRO provides comprehensive title insurance and legal services coverage for residential purchase and mortgage-only/refinance transactions handled by lawyers across Canada and Quebec notaries. LAWPRO's mission is to be an innovative provider of insurance products and services that enhance the viability and competitive position of the legal profession. Incorporated in 1990 by the Law Society of Upper Canada (as it then was known, the "Law Society"), LAWPRO has operated independently of the Law Society since 1995, with its own management and Board of Directors.

Executive Summary

LAWPRO's submissions to Law Society of Ontario's *Family Legal Services Provider Licence Consultation* can be summarized as follows:

1. LAWPRO's claims experience demonstrates that even competent lawyers with years of experience and the grounding of a traditional legal education, articling, and the bar admission/examination process make errors that lead to malpractice claims. Family law is one of the most complicated areas of practice as it involves complex and sometimes overlapping federal and provincial legislation, as well as ever-changing case law. As a result, it is notable that the frequency of substantive law-related claims for Ontario lawyers doing work in family law is twice what it is on average in other areas of practice.
2. Given the stress and emotions involved in relationship breakdowns, communicating with family law clients can be very challenging. Family law clients can have unrealistic expectations regarding the process, timing, costs, and potential outcomes of their matters. Client communication and relationship issues cause more LAWPRO claims than substantive law issues do.
3. As FLSPs are providing a similar scope of services in virtually identical circumstances, LAWPRO believes FLSPs will inevitably face malpractice claims, and those malpractice claims will be similar types and proportions to those experienced by lawyers.
4. To minimize malpractice claims, LAWPRO encourages the Law Society to include a strong focus on substantive law, client communications and practice management in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.
5. To assist FLSPs dealing with a malpractice claim, LAWPRO encourages the Law Society to include information on malpractice insurance, obligations for reporting a claim and how to deal with a real or potential claim in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.
6. LAWPRO believes proactive claims prevention efforts by FLSPs could help them significantly reduce their exposure to malpractice claims. LAWPRO thus encourages the Law Society to include claims awareness and risk mitigation strategies in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.
7. As a matter of public protection, and consistent with the rationale behind the mandate given to LAWPRO for running the mandatory insurance program for Ontario lawyers, LAWPRO supports the Law Society's proposal that FLSPs be required to have appropriate legal professional liability insurance with a standard level of coverage in place, and LAWPRO suggests FLSPs be asked to consider if excess insurance is appropriate.
8. LAWPRO is unable to provide a legal professional liability insurance program to FLSPs as it is not licensed to do so nor does it have a formal mandate from the Law Society to do so. LAWPRO is open to discuss with the Law Society whether it should consider offering an insurance program to FLSPs. Such an insurance program would be a major undertaking and the Law Society and the LAWPRO Board would need to carefully consider the implications. A LAWPRO program would offer considerable benefits compared to FLSPs seeking insurance from commercial carriers. A likely impediment would be the large amount of capital that LAWPRO would require to launch a new line of business.
9. LAWPRO is unable to respond to the request to quote the premium it would charge for insuring FLSPs (assuming it was licensed to do so) as relevant premium-setting considerations are unknown to it at this time.
10. LAWPRO would welcome the opportunity to participate in further discussions to assist in the consideration of the issues raised in this submission, and in particular the exploration of how legal malpractice insurance coverage will be implemented for FLSPs.

Introduction

LAWPRO is pleased to have this opportunity to comment on the *Family Legal Services Provider Licence Consultation* and will focus on the professional liability and insurance implications of Family Legal Services Providers (FLSPs) providing legal services to clients in Ontario.

As the malpractice insurance carrier that provides the mandatory insurance program to all lawyers in private practice in Ontario, and a limited number of licensed paralegals that participate in partnerships or professional corporations with lawyers, LAWPRO has broad insights into where and why malpractice claims occur on family law matters.

By area of practice, family law-related claims are the fourth most common and fifth most costly type of claim in LAWPRO's claims portfolio.¹ This translates into 216 claims and \$4.5 million in incurred costs for family law claims on an average annual basis over the last ten years. The count and costs of family law claims are trending higher. LAWPRO attributes this to the interaction of complex factors including increasing complexity in the law, more complex family situations, and increases in the value of real estate – family law matters often involve a matrimonial home.

LAWPRO's claims experience demonstrates that even competent lawyers with years of experience and the grounding of a traditional legal education, articling, and the bar admission/examination process make errors that lead to malpractice claims. It is notable that the frequency of law-related claims for Ontario lawyers doing work in family law is twice what it is on average in other areas of practice. Layered on top of the need to deal with complex legal issues is the fact that many family law clients have unrealistic expectations regarding the process, timing, costs, and potential outcomes of their matters.

As is the case for lawyers, and as they are providing a similar scope of services in virtually identical circumstances, FLSPs will inevitably face malpractice claims. As a matter of public protection, FLSPs should have legal professional liability insurance so that malpractice claims are handled properly and clients receive recompense if they suffer damages as a result of negligence by their FLSP.

LAWPRO offers its expertise to help the Law Society create a legal malpractice insurance regimen that is appropriate for FLSPs and serves to protect the public interest.

LAWPRO consents to having this submission shared with stakeholders and the public.

¹ Unless otherwise stated, all claims statistics quoted in this submission are for the 2010-2019 period. All costs figures are incurred costs (i.e., actual and estimated costs).

LAWPRO's family law claims experience highlights importance of legal knowledge and client communications

For more than twenty-five years, LAWPRO has been tracking and analyzing the nature of errors that lead to professional liability claims. The results of this research demonstrate that the delivery of legal services requires a significant level of legal expertise as well as a mastery of client service and practice management skills.

Among all the areas of legal practice, family law is of fundamental importance for a large cross-section of the Canadian public. The prevalence of separation and divorce in our society means that family law orders and/or agreements affect the lives of millions of Ontarians, including countless children. For many of those Ontarians, these orders and/or agreements have significant financial impacts that directly affect standards of living, lifestyles and opportunities for many years. There can be substantial sums of money involved with child or spousal support obligations, the sale of a matrimonial home, or other family assets or debts. The effects on children are significant as many cases involve custody and/or access issues. The outcomes of family matters, be they by court order, agreement or otherwise, often have impacts that last a lifetime.

Appendix A contains a detailed breakdown of the types of errors that lead to family law claims for lawyers. The two key takeaways – the prevalence of substantive law errors and lawyer client communication/relationship issues as the most common causes of family law claims – are highlighted in the following paragraphs.

Family law is one of the most complicated areas of practice. It involves complex and sometimes overlapping federal and provincial legislation as well as ever-changing case law. This complexity is reflected in the fact that a failure to know or apply substantive law caused 22 per cent of family law malpractice claims over the last 10 years – almost twice the frequency seen for this type of error in most other areas of practice over the same period. It is clear that keeping up with substantive law is a challenge, even for lawyers that practise primarily or solely in the family area.

But law-related errors are not the biggest drivers of claims in family law. Communication and relationship issues between a lawyer and client are the biggest cause of family law claims, representing 38 per cent of LAWPRO's claims in this area of practice over the last 10 years. By comparison, in other areas of practice, communication/relationship-related errors typically cause about one-third of LAWPRO's claims. This type of error can involve poor communication, misunderstandings, and complete failures to communicate.

While some claims arise as a result of communication shortcomings by a lawyer, there is a finding of negligence in only about 10 per cent of LAWPRO's family law claims. It is clear that trying to explain complicated legal issues to clients that are involved in high stakes disputes at one of the most stressful times of their lives can be very challenging.

The need for family law services typically arises when clients are in a vulnerable position both emotionally and economically. Vulnerable clients may require greater-than-normal sensitivity and support from a legal professional as they work to define their needs and wishes both in the present

and in the future. One study² suggests that self-represented parties may have difficulty understanding all the legal issues and their implications even when resources such as on law-related websites are available. Family law clients with little exposure to the legal system tend to be less sophisticated consumers of legal solutions, and may be uncomfortable with handling legal documents and navigating the legal system. The assistance of a professional who has appropriate knowledge and experience can help be a counterweight to the power imbalances that can arise in family law conflicts.

As FLSPs are providing a similar scope of services in virtually identical circumstances, LAWPRO believes FLSPs will inevitably face malpractice claims and those malpractice claims will be in similar types and proportions, to those experienced by lawyers.

To assist FLSPs dealing with a malpractice claim, LAWPRO encourages the Law Society to include information on malpractice insurance, obligations for reporting a claim, and how to deal with a real or potential claim in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.

The importance of professional liability coverage

As noted above, LAWPRO believes FLSPs will inevitably face malpractice claims. Further, as FLSPs are providing a similar scope of services in virtually identical circumstances, these malpractice claims will be similar in types and proportions to those experienced by lawyers. Thus, as a matter of public protection, FLSPs should have legal professional liability insurance so that malpractice claims are handled properly and clients receive recompense if they suffer damages as a result of negligence by their FLSP.

Ontario lawyers and paralegals in private practice are required to carry professional liability insurance coverage with a minimum of \$1 million per claim and \$2 million in the aggregate. Professional “malpractice” insurance protects the public in the event they require recompense for a loss they suffered due to an error by their legal services provider. It also indirectly serves to protect lawyers against the financial consequences of claims that might otherwise threaten their solvency, and thereby, their ability to practice.

Many Ontario lawyers who handle matters that involve assets, transactions or exposures worth more than a million dollars (e.g., a home condo purchase in Toronto, a large commercial deal or a class action law suit) arrange for “excess coverage” above the mandatory minimum coverage. This coverage can be for several to tens of millions of dollars, and even more for larger firms.

While it won’t be the case for all family matters, matrimonial homes, property equalizations and longer-term child or spousal support obligations can be worth considerable sums of money, and in some cases more than a million dollars.

As the scope of practice for FLSPs has yet to be finalized, it remains to be determined what the required standard limit of coverage should be for all FLSPs, and what might be appropriate for an

² Birnbaum, Bala & Bertrand, “The Rise of Self-Representation in Canada’s Family Courts: The Complex Picture Revealed in Surveys of Judges, Lawyers and Litigants” (2013), 91 Canadian Bar Review 67-96.

FLSP handling matters that would result in claims exposures above the standard required coverage limits.

As a matter of public protection, and consistent with the rationale behind the mandate given to LAWPRO for running a mandatory insurance program for Ontario lawyers, LAWPRO supports the Law Society's proposal that FLSPs be required to have appropriate legal professional liability insurance in place, and LAWPRO suggests FLSPs be asked to consider if excess insurance is appropriate.

Can LAWPRO offer insurance to FLSPs and what premium would it charge?

LAWPRO was directly asked whether it could provide legal professional liability insurance to FLSPs and what premium it would charge. This section will address these two questions.

Can LAWPRO offer insurance to FLSPs?

The simple answer to this question is no. LAWPRO is unable to provide a legal professional liability insurance program to FLSPs as it is not licensed to do so, nor does it have a formal mandate from the Law Society to do so. LAWPRO is open to discuss with the Law Society whether it should consider offering an insurance program to FLSPs.

LAWPRO does not have the mandate from the LSO to operate a FLSP program:

Further to the recommendations in the 1994 *Insurance Task Force Report*, Convocation gave LAWPRO the mandate to operate an insurance company that is to:

- Operate independently from the Law Society;
- Operate in a commercially-reasonable manner (i.e., revenues must cover expenses);
- Offer premiums that generally reflect risk (i.e., those with greater risk pay higher premiums); and
- Settle claims fairly and quickly, though not on a "no-fault" basis.

Further to that mandate, LAWPRO has been offering legal professional liability insurance to Ontario lawyers for 25 years.

LAWPRO would require a formal mandate from the Law Society to create and run an insurance program for FLSPs.

LAWPRO is not licenced to provide this type of insurance: LAWPRO is a full-fledged insurance company under the *Insurance Act* and it is regulated by the Financial Services Regulatory Authority (FSRA). LAWPRO's licence permits it to provide professional liability insurance to lawyers and title insurance. LAWPRO is not currently licenced to provide insurance to non-lawyers, including FLSPs³ and it would have to seek an amendment to its licence to provide insurance to FLSPs.

The Law Society has not formally asked LAWPRO to provide a legal professional liability insurance program to FLSPs, nor whether it is interested and able to do so. LAWPRO is open to

³ On the basis it is ancillary to its licence for insuring lawyers, LAWPRO does insure a limited number of licensed paralegals that participate in partnerships or professional corporations with licensed lawyers.

discuss with the Law Society whether it should consider offering an insurance program to FLSPs. As it would be a major undertaking for LAWPRO to launch such an insurance program, the Law Society and the LAWPRO Board would have to carefully discuss and consider the implications of doing so. As compared to FLSPs seeking insurance from commercial carriers, a LAWPRO insurance program would give FLSPs many of the benefits that lawyers enjoy from the current LAWPRO program such as expansive coverage, including at no additional cost innocent party and run-off cover, that would complement the insurance carried by lawyers the FLSP may work with, and highly trained claims professionals (see Appendix B). A possible impediment would be the large amount of capital that LAWPRO would require to launch a new line of business.

What premium would LAWPRO charge to FLSPs?

LAWPRO was asked to quote the premium it would charge *if it could insure* FLSPs. LAWPRO is unable to quote the premium it would charge to FLSPs. Setting an insurance premium is a complex exercise that involves considering the number of insureds in the pool, the types of claims that will arise, the costs for managing and paying out these claims, the investment returns on the money held to payout claims, the costs and availability of a reinsurance solution, and regulatory capital requirements. While we have some idea of the types of claims that will occur for FLSPs, the rest of the relevant premium-setting considerations are unknown to us at this time and thus we cannot quote what the premium might be if LAWPRO ran an insurance program for Ontario FLSPs.

Conclusion

LAWPRO's claims experience demonstrates that even competent lawyers with years of experience and the grounding of a traditional legal education, articling, and the bar admission/examination process make errors that lead to malpractice claims. Family law is one of the most complicated areas of practice as it involves complex and sometimes overlapping federal and provincial legislation, as well as ever-changing case law. As a result, it is notable that the frequency of substantive law-related claims for Ontario lawyers doing work in family law is twice what it is on average in other areas of practice.

Given the stress and emotions involved in relationship breakdowns, communicating with family law clients can be very challenging. Family law clients can have unrealistic expectations regarding the process, timing, costs, and potential outcomes of their matters. Client communication and relationship issues cause more LAWPRO claims than substantive law issues do.

As FLSPs are providing a similar scope of services in virtually identical circumstances, LAWPRO believes FLSPs will inevitably face malpractice claims, and those malpractice claims will be similar types and proportions to those experienced by lawyers.

To minimize malpractice claims LAWPRO encourages the Law Society to include a strong focus on substantive law, client communications and practice management in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.

To assist FLSPs dealing with a malpractice claim, LAWPRO encourages the Law Society to include information on malpractice insurance, obligations for reporting a claim and how to deal with a real or potential claim in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.

As a matter of public protection, and consistent with the rationale behind the mandate given to LAWPRO for running the mandatory insurance program for Ontario lawyers, LAWPRO supports the Law Society's proposal that FLSPs be required to have appropriate legal professional liability insurance with a standard level of coverage in place, and LAWPRO suggests FLSPs be asked to consider if excess insurance is appropriate.

LAWPRO is unable to provide a legal professional liability insurance program to FLSPs as it is not licensed to do so, nor does it have a formal mandate from the Law Society to do so. LAWPRO is open to discuss with the Law Society whether it should consider offering an insurance program to FLSPs. Such a program would be a major undertaking and the Law Society and the LAWPRO Board would need to carefully consider the implications. A LAWPRO program would offer considerable benefits as compared to FLSPs seeking insurance from commercial carriers. A likely impediment would be the large amount of capital that LAWPRO would require to launch a new line of business.

LAWPRO is unable to respond to the request to quote the premium it would charge for insuring FLSPs (assuming it was licensed to do so) as relevant premium-setting considerations are unknown to it at this time.

LAWPRO believes proactive claims prevention efforts by FLSPs could help them significantly reduce their exposure to malpractice claims. LAWPRO thus encourages the Law Society to include claims awareness and risk mitigation strategies in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.

We hope that our comments and the underlying claims analysis on which they are based provide useful insights for the discussions on the licencing of FLSPs. LAWPRO would welcome the opportunity to participate in further discussions to assist in the consideration of the issues raised in this submission, and in particular the exploration of how legal malpractice insurance coverage will be implemented for FLSPs.

Appendix A – A Profile of LAWPRO Family Law Claims

Currently, LAWPRO sees about 3,000 newly reported claims in a typical year, and expects those claims will cost approximately \$100 million dollars to resolve. These costs include both indemnity payments (i.e., monies paid to set a client right after he/she suffered damages due to a lawyer's negligence) and defence costs (i.e., expenses LAWPRO incurs in defending lawyers against claims).

By area of practice, family law-related claims are the fourth most common (behind litigation, real estate, and wills) and fifth most costly (behind litigation, real estate, corporate, and wills) type of claim in LAWPRO's claims portfolio.⁴ This translates into 216 family law-related claims with \$4.5 million in costs on an average annual basis over the last ten years. Family law claims are getting more expensive. And it can take a long period of time for family law claims to be discovered. The oldest report of a potential family law claim arose 59 years after the work was done.

Family law is one of the most complicated areas of practice. It involves complex and sometimes overlapping federal and provincial legislation as well as ever-changing case law. This complexity is reflected in the fact that a failure to know or apply substantive law causes 22 per cent of family law malpractice claims – almost twice the frequency seen for this type of error in most other areas of practice. It is clear that keeping up with the law is a challenge for lawyers that practise in the family law area. LAWPRO encourages family law lawyers to be cognizant of the limitations in their legal knowledge and expertise. When appropriate, we encourage them to engage another lawyer who has expertise in estate planning or tax issues; an accountant or actuary may be needed to help with a pension or business valuations, stocks or stock options, bonds; or an appraiser to deal with assets such as antiques.

But law-related errors are not the biggest drivers of claims in family law - communication/relationship issues between a lawyer and client are the biggest cause of family law claims, representing 38 per cent of LAWPRO's claims in this area of practice. By comparison, in other areas of practice, communications-related errors typically cause about one-third of LAWPRO's claims. This type of error can involve poor communication, misunderstandings, and complete failures to communicate.

See Figure 1 for the relative proportion of the most common malpractice errors on LAWPRO's family law-related claims.

⁴ As noted above, unless otherwise stated, all claims statistics quoted in this submission are for the 2010-2019 period. All costs are incurred costs (i.e., actual and estimated costs).



Figure 1 – The most common malpractice errors for LAWPRO's family law-related claims

The following list provides examples of some of the more common claims scenarios for each of the more common types of errors:

Lawyer/client communication errors (38%)

- Failing to ensure the client understands the potential consequences of excluding certain property from an equalization calculation in a marriage contract
- Failing to adequately explain the terms of a separation agreement, minutes of settlement, or that a settlement is final before the client is asked to sign
- In a limited-scope retainer, not communicating clearly what you are retained to do and what you are not going to do

Errors of law (22%)

- Errors as to entitlement, amount, or duration of spousal support
- Not complying with Federal Child Support Guidelines when arrangements are made for child support
- Unanticipated and unintended tax obligations

Time Management (10%)

- Claim for spousal support is not made for a lengthy period of time, and ultimately an amount of support is lost because the court will not make a retroactive order
- Missed deadline for an equalization claim

Inadequate discovery of facts or inadequate investigation (10%)

- Failing to properly identify all assets and liabilities for the purposes of preparing financial statements and making net family property calculations
- Failing to explore full facts and circumstances of a client's marriage so as to appreciate issues that need to be dealt with in a separation agreement or litigation

There is a finding of negligence in only about 10 per cent of LAWPRO's family law claims. Given the stress and emotions involved in their matters, family law clients can be challenge to deal with. Many have unrealistic expectations regarding the process, timing, costs, and potential outcomes of their matters. They frequently allege a lawyer was negligent when there are no grounds for doing

so. More than one-half of LAWPRO's family law claims are resolved without formal litigation or a finding of negligence by the lawyer. It is clear that trying to explain complicated legal issues to clients that are involved in high stakes disputes at one of the most stressful times of their lives can be very challenging.

Risk management and avoiding claims

LAWPRO believes pro-active risk management can significantly reduce claims in the family law area and it encourages family law lawyers to take the following steps to accomplish this:

Proactively direct and control client expectations: Family law clients can be emotional and a challenge to manage. They may also have changing and unrealistic expectations. This makes it especially important that you manage their expectations from the very start of the retainer. Helping clients avoid disappointment and surprises will significantly lower claims exposure.

Carefully explain agreement terms to clients: Carefully explain settlement agreements or domestic contracts so that clients cannot later allege that they did not understand the contents of these agreements.

Be aware of the limitations of your legal knowledge: Family law is one of the most complex practice areas, with federal and provincial statutes, and voluminous case law. No lawyer can hope to be an expert in all aspects of this field, so it's important to know when to seek advice from more specialized counsel (e.g. for estate planning) or third party experts (e.g. tax advisors, accountants, appraisers or actuaries).

Consider not taking on a potentially difficult client: There may be cases where the client will never be satisfied. Lawyers involved in claims often tell LAWPRO that their instincts told them a client was going to be difficult or that a client became more difficult through the course of a matter when things were not going the way the clients wanted them to. Has the client changed lawyers several times? Do their demands seem unreasonable? Ask yourself if it's worth accepting the retainer or if you can continue with the retainer if the lawyer/client relationship has broken down (make sure you comply with the *Rules of Professional Conduct* if you are ending a retainer).

Make better use of checklists and reporting letters: LAWPRO's *Domestic Contract Matters Toolkit* (practicePRO.ca/domestictoolkit) has checklists and forms that contain issues lawyers should consider as they conduct the interview on a domestic contract matter and when they meet with the client to review and sign the document. A final reporting letter detailing what you did and what advice you gave can be a great help in the event of a claim, which may arise long after you've forgotten the details of a particular file.

LAWPRO believes similar proactive claims prevention efforts by FLSPs could help them significantly reduce their exposure to malpractice claims. LAWPRO thus encourages the Law Society to include aspects of claims awareness and risk mitigation strategies in the FLSP competency framework, FLSP training programs, and FLSP CPD programs.

Appendix B – Benefits of LAWPRO insurance program for FLSPs

Consideration	Multiple commercial providers	LSO operated program
Availability of insurance to insureds	Depending on claims history, firm size, or area of practice, insureds may not find any carrier willing to insure the risk (i.e., the inability to obtain insurance might prevent an FLSP from practising)	Would have to accept all insureds, regardless of claims history, unless premiums were not paid
Premium amount	Would vary by carrier and fluctuate more frequently	Would be the same for like insureds, with risk rating. The premiums are not as vulnerable to general market fluctuations
Consistency of policy coverage, terms and conditions	Would vary by carrier	Standard across all insureds, with the Law Society approving terms before each renewal
Handling of claims	Claims handling philosophy would vary by carrier and would largely be on an economic basis.	Consistent approach for all claims. As LAWPRO is owned by the Law Society, protection of the public is considered when handling claims
Claims prevention efforts and resources	Unlikely to be provided by commercial insurers	Could be provided as standard part of program as practicePRO is for lawyers under the LAWPRO program
Run-off coverage	May or may not be offered; likely extra premium and differing amounts by carrier	Could be provided as standard part of program, as is the case for the LAWPRO program
Ease of set-up	Easier to set-up as involves approaching existing commercial insureds with broad licenses and experience in various lines of professional liability insurance, including miscellaneous E&O coverage	Much more work would initially be required to establish the program in terms of establishing a rate, a master policy, having the insurance licence broadened, obtaining appropriate reinsurance support, etc. A capital injection would be required.
Stability of program	Commercial providers are able to enter or leave the market at will	LAWPRO has a demonstrated history of providing stable, affordable and expansive E&O coverage to Ontario legal professionals