

2022 Regular Session

HOUSE RESOLUTION NO. 182

BY REPRESENTATIVE JORDAN

INSURANCE: Requests the Louisiana Supreme Court to study the costs and benefits of mandatory, legal professional liability coverage for attorneys in private practice in this state and to study the benefits of requiring attorneys to provide certain notification to the Louisiana State Bar Association

1 A RESOLUTION

2 To urge and request the Louisiana Supreme Court to study the costs and benefits of
3 mandatory, legal professional liability coverage for attorneys in private practice in
4 this state and to study the benefits of requiring attorneys to provide notification to
5 the Louisiana State Bar Association as to whether the attorney has professional
6 liability coverage.

7 WHEREAS, legal professional liability insurance, also called legal malpractice
8 insurance, provides coverage for attorneys in private practice in the event of claims of
9 malpractice, negligence, errors, or perceived mistakes arising from the practice of law; and

10 WHEREAS, many professional liability insurance policies cover activities incidental
11 to acting as an attorney, including but not limited to an attorney's role as a mediator,
12 arbitrator, notary public, title agent, trustee or executor, or as an officer, director, or member
13 of a professional organization; and

14 WHEREAS, such insurance policies can pay the costs to defend lawsuits as well as
15 any settlements or judgments that arise from the suits; and

16 WHEREAS, even the most experienced attorneys are at risk of having a claim
17 brought against them; and

18 WHEREAS, an attorney's coverage under a professional liability insurance policy
19 can help to protect income and one's professional reputation, provide peace of mind, and
20 attract and retain clients by building confidence and trust.

1 THEREFORE, BE IT RESOLVED that the House of Representatives of the
2 Legislature of Louisiana does hereby urge and request the Louisiana Supreme Court to study
3 the costs and benefits of mandatory, legal professional liability coverage for attorneys in
4 private practice in this state and to study the benefits of requiring attorneys to provide
5 notification to the Louisiana State Bar Association as to whether the attorney has
6 professional liability coverage.

7 BE IT FURTHER RESOLVED that the House of Representatives requests the
8 Louisiana Supreme Court to submit a report of its findings and recommendations from the
9 study called for in this Resolution to the House Committee on Insurance and the David R.
10 Poynter Legislative Research Library on or before February 1, 2023.

11 BE IT FURTHER RESOLVED that, in carrying out the purposes of this Resolution,
12 the Louisiana Supreme Court may solicit input, recommendations, and advice from certain
13 parties with relevant expertise including but not limited to the Louisiana State Bar
14 Association, the Louisiana State Law Institute, and the Louisiana Department of Insurance.

15 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
16 chief justice of the Louisiana Supreme Court.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HR 182 Original

2022 Regular Session

Jordan

Requests the La. Supreme Court to study the costs and benefits of mandatory, legal professional liability coverage for attorneys in private practice in this state and to study the benefits of requiring attorneys to provide notification to the La. State Bar Association as to whether the attorney has professional liability coverage.

Requests a report of its findings from the study on or before Feb. 1, 2023.