

The Competitive Edge: Law Practice Risk Management



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LAWYERS



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CNA is proud to add **"The Competitive Edge: Law Practice Risk Management"** to its list of lawyers' professional liability risk control programs. To learn more about schedules for live presentations of this program, please contact your broker.

Establishing Client Intake Procedures

Identifying problematic potential clients is one of the first steps an attorney can take to help avoid legal malpractice claims. An attorney should consider many factors before deciding to accept a new client. In this section, we discuss the advantages of establishing a client intake procedure, the individuals who should be involved in the process, and the importance of proper investigation of potential clients. A client intake guide as well as a sample client intake form to be used as a guideline in creating your own client intake process are provided in support of this section.

Managing Professional Duties Arising from Enterprise Risks in Law Practice

On a daily basis, attorneys are exposed to a variety of commercial liability risks in addition to professional liability risks. These risks include cyber theft, property damage compromising client property, and the effect of workers' compensation claims on a law practice. This section will present these enterprise risks from the unique perspective as to how these risks may implicate professional obligations to firm clients. Materials to conduct an assessment of your law firm to identify various risk exposures are provided in support of this section.

The Conflicts Conundrum: Avoiding and Managing Conflicts of Interest

Conflicts of interest represent one of the most frequent allegations against lawyers in legal malpractice claims. In this section, we will discuss the ethical rules pertaining to conflicts of interest and examples involving breaches of those ethical rules. In addition, this section will address effective risk management strategies to avoid and manage potential conflicts of interest in your practice, including the implementation of conflict checking systems and obtaining the proper consent from current and former clients. A conflicts of interest guide and sample conflict of interest waivers are provided in support of this section.

Controlling Risks through Effective Management of Legal Support Staff

Almost one-third of all legal malpractice claims are due to administrative error. Legal support staff members play an essential role in a law firm practice. Investing time in proper training of support staff is one strategy to mitigate risk exposures in your law practice. This section discusses common administrative errors that may result in legal malpractice claims. It also examines proper hiring procedures and the need for foundational and ongoing training of legal support staff. Materials to help you assess risks related to legal support staff are provided in support of this section.