Malpractice Claims
Reducing Risk
With Practice Management Software

Ron Collins, attorney,
founder and CEO of
Gavel & Gown Software Inc.

Sponsored by:
Claims Aren’t Fun!

- Distracting
- Time consuming
- Expensive
- Reputation costs
- Increased premiums
Claims Are Growing

• # has gone up over 25% compared to mid-2000’s
• Claims keep getting more complex
• Defense costs are increasing
• Claims are more costly to resolve
Malpractice Exposure

• Risk is a reality for private practice attorneys
• Odds - up to 17% you will have one each year
• 4 of 5 lawyers experience at least one over career
• On average ~3 claims over career
• Most claims during 6 to 25 years in practice
Risk Higher in Small Firms

• Solo attorneys represent 48% of private practice
  – But only 34% of malpractice claims
• 2-5 attorney firms run the greatest risk of malpractice claims, running double the expected rate.
  – 2-5 attorneys represent 15% of private practice but 32% of malpractice claims
• 6-10 attorney firms represent 7% of private practice
  – 10% of malpractice claims
Practice Areas

• Real estate
• Plaintiff litigation (esp. personal injury)
• Family law
• Corporate
• Estates & trusts
• Collection & bankruptcy
Top Reasons For Claims

- Client communications
  - Keeping informed, confirming/following instructions, reporting
- Time management
  - Procrastination, deadlines etc.
- Over 50% of all claims fall into the above 2 categories.
- Other high frequency reasons are:
  - Inadequate investigation
  - Error of law
  - Clerical
    - Lost file, document, etc.
  - Conflict of interest
Reducing Risk – Tracking

• File information
  – Is always consistent
  – Is always available
  – Can be mandatory to track
  – Can be input by client
• Documents are always there
• Delegated tasks have full check-lists
• File inactivity reminders
• File cost warnings
Reducing Risk – Calendaring

• Deadline management
• Linking events
• Automated docketing
• Adjournments
• Daily reminders
Reducing Risk – Communicating

- Phone call notes
- Automated reminders to report
- Keep-in-touch reminders
- Client portal
Reducing Risk – Conflicts

• Just looking at a list of previous clients is not enough
• Check everything
Reducing Risk – More Time For Law

• Automation of the process
• Collection of the facts
• Law and judgment are up to you!
Example – File Opening

• Automation makes sure all the steps are taken every time
• Conflict check
• Engagement letter / retainer
• Limitation diarized
• Key info collected
• Procedural checklist applied
Premium Reductions

• Many malpractice insurance carriers provide premium reductions to firms using practice management software
• Check with your insurer
Find Out More

Free Trials

www.amicusattorney.com

1-800-472-2289

RonCollins@AmicusAttorney.com
Questions?

Thank you for joining us! Find upcoming Industry Insight webinars at www.ambar.org/industryinsight.