

2022 Regular Session

HOUSE RESOLUTION NO. 182

BY REPRESENTATIVE JORDAN

A RESOLUTION

To urge and request 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 notification to the Louisiana State Bar Association as to whether the attorney has professional liability coverage.

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

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

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

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

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

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request 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 notification to the Louisiana State Bar Association as to whether the attorney has professional liability coverage.

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES