

Section 14: It Takes Time to Make a Claim Go Right

Average Staff Time Dealing With a Claim

Being involved in E&O claims can be stressful and time-consuming, especially if it goes to trial. We asked the agents E&O panel attorneys from Swiss Re Corporate Solutions to provide some thoughts on the average amount of time E&O claims can take away from staff's daily activities. Their answers varied depending on the complexity and amount of the claim against the agency. Many of the attorneys recognized the importance of minimizing the impact on the agency's time in dealing with the claim. The time spent will vary depending on which part of the



claim cycle one is in. A reoccurring theme was that agency staff must be committed to the defense of the case, and willing to invest the time for a successful outcome. Here are the attorney's responses:

- ✓ On average, 15-20 days per lawsuit if the claim is taken to trial
- ✓ Document production tends to be very time consuming, taking several days or even weeks or complete
- ✓ Agency staff's time can be very concentrated in the days immediately the receipt of the claim. This time spent on responding to paper discovery, preparing for deposition and trial, and the days of trial itself.
- ✓ The distraction time for agency staff , while low in the beginning of the case, increases as the case proceeds
- ✓ At certain points the agent may be devoted full time to the claim process
- ✓ The amount of time varies, but a fair estimate is anywhere from 10 to 250 hours participating in the E&O claims process
- ✓ Estimates on time spent don't include the number of sleepless nights for agency staff involved

A pound of prevention - "It is better to spend a few extra minutes during the day following good E&O risk management practices than to spend year involved in an E&O lawsuit."