



BLAKE MORGAN

LEGAL EXPENSES INSURANCE

Professional Negligence

LEGAL EXPENSES INSURANCE

When bringing or facing any sort of claim it is sensible to consider funding options. Our funding document can assist you in making the right choice.

If you think you have a claim please contact us to discuss the claim and your funding options.

Legal Expenses Insurance

Often clients will have insurance policies which provide cover for Legal Expenses as an additional benefit. This cover may be found in household insurance, motor insurance, directors' and officers' liability (D&O) insurance and other commercial or business policies. Insurance may also be provided with product purchases or banking facilities. Whether a particular claim is covered by a policy of insurances will depend upon the particular terms and exclusions.

We will happily review your insurance policies to determine if you may be covered.

If you do have Legal Expenses Insurance then your insurer may require you to use one of their panel solicitors. However, you have a right to choose your solicitor. Please consider Blake Morgan when making your choice.

1. Historically our team has acted as a panel firm for a number of insurers, this means that Blake Morgan has substantial experience acting for insured clients. In addition, panel firms for any other insurer will not afford any advantage;
2. Blake Morgan will agree terms with your insurer so that you may not be required to contribute any additional funds to your claim (subject to your insurer's limit of indemnity)

Your rights and the Law

The Insurance Companies (Legal Expenses Insurance) Regulations 1990 and Article 4(1) of Directive 87/344/EC on legal expense insurance, recognises an insured person's freedom to choose their legal representation. This includes solicitors, counsel and any other "appropriately qualified" individual acting in any "inquiry or proceedings". When the right to choose arises is unclear but it is an absolute right when proceedings or an 'inquiry' is commenced.

Many insurers will insist on panel firms or, if a panel firm is not instructed, that the chosen solicitor acts on panel rates. However, the insurer cannot insist on panel rates where this may unfairly restrict the client's choice. In addition, if the policy states that the indemnity covers "reasonable" legal costs (and does not specify the rates) then, provided the chosen solicitor's rates are reasonable then panel rates are inappropriate.

The Financial Ombudsman Service can be used to resolve disputes of coverage if an insurer seeks to restrict your right to choose your legal representative.

Please contact us for more information.



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