

Law Firms Consolidate Insurance Expertise

Nine law firms across Canada have teamed up to form a network that delivers insurance and risk management legal expertise. The ARC Group Canada Inc., launched in the late fall, has also partnered with the Benefit Insurance Lawyers Group (B.I.L.G.), which represents 10 locations throughout Europe.

Combined, the affiliates tout proficiency in a breadth of insurance, reinsurance and risk issues, and a commitment to "delivering outstanding service and added value to Canada's insurance and self-insured communities."

The group's formation was spurred by the increasing complexity of insurance law along with a desire to accommodate clients with national and, increasingly, international interests.

"The purpose really is to broaden the range of services that are available to the insurers and self-insured companies and other entities requiring assistance with insurance and risk-related legal matters," says Robert Gasco, partner at Gasco Goodhue LLP, a firm of 20 lawyers based in Montreal dedicated to matters involving insurance, risk and liabilities.

Gasco and his firm were instrumental in the creation of The ARC Group as a "one-stop shopping" alternative for clients with multiple geographical interests rather than providing them piecemeal referrals in each respective province. "If you're offering the service as a provincial firm, you can only offer them that, but through an affiliation such as ours, you can offer the same services in a seamless fashion on a national basis," he emphasizes.

He adds that while some insurance companies have expressed a preference to continue their relationship with counsel they're loyal to, The ARC Group aims to grow its client base of international and foreign-based companies and those with multi-jurisdictional operations; it already represents most major insurance providers and self-insureds in Canada. Its lawyers' collective expertise covers niche-specific areas of law such as aviation, boiler and machinery, product liability, transportation and subrogation.

Besides affording clients with quick access to specialized legal expertise

across Canada and Europe, The ARC Group is also offering resources and information on developments in business and law. A number of papers authored by member-firm lawyers covering a range of topics (such as the allocation of defence costs between a covered and non-covered claim and an analysis of how far the courts are prepared to go, which examines case law addressing the reasonable expectations doctrine used to interpret ambiguous wording in insurance policies) is archived and accessible on The ARC Group's Web site.

ARC MEMBERS

- Alexander Holburn Beaudin & Lang LLP
- Barry Spalding
- Burchell Hayman Parish
- Campbell, Marr LLP
- Gasco Goodhue LLP
- Hughes Amys LLP
- Martin Whalen
- Hughes Hennebury Stamp
- McLennan Ross LLP
- Robertson Stromberg Pedersen LLP

The site also includes related links to courts, organizations, libraries, legislation and reference materials that insurance professionals could find valuable.

Clients across Canada are expected to benefit from the combined resources within The ARC Group and B.I.L.G. networks, with access to non-billable, added value educational materials, including industry-specific newsletters on national and international developments, seminars and email alerts.

Education for clients has been a key focus from the outset. The group's fall launch event at the Ontario Club in Toronto included a seminar with discussions and materials on insurance law developments and a keynote address by Ali Reza, a U.S.-based thermal sciences engineer who reviewed evidence that formed the basis of a legal argument over whether the attack on the World Trade Center on Sept. 11, 2001 was, according to insurance policy wording, the result of two occurrences or one.

"It was interesting stuff," shares Dave Risling, partner at ARC Group member firm

McLennan Ross LLP, which is based in Edmonton. "It highlighted how important it is for insurers to really review the wording in their policies. When you have different insurers involved in a file, it creates a legal challenge to sort out where coverage is and what the issues are."

Risling adds that Reza's talk reflects just how complex insurance-related litigation is becoming, warranting the pooling of legal resources. The cumulative experience of lawyers within the group is readily and expeditiously shared amongst the lawyers at the respective firms.

"The breadth of experience frankly is quite incredible," Risling says of the practitioners within the network. "It's a great resource for all of us. For instance, if I had a ski hill event, a big loss, I could send out an email and get a quick response from a number of people who have had a similar file to help me out."

The reciprocal exchange of expertise extends across Europe. The aforementioned B.I.L.G. includes The ARC Group along with 10 law firms throughout the EU that provide expertise in insurance and reinsurance. They act on behalf of the majority of large national and international insurance and reinsurance companies, including Lloyd's.

Members of B.I.L.G. are mainly known as defendant insurance and reinsurance firms but also represent self-insureds and major international insurance brokers.

The new, global span of the network will augment the available expertise in multi-jurisdictional regulatory differences, prioritize member referrals and provide clients with flexibility in remuneration schemes, the B.I.L.G. Web site says.

In Canada, the law firm of Robertson Stromberg Pedersen in Saskatchewan is the most recent to join and Risling says the network is looking to partner further with law firms in the United States. While there are several established, insurance-focused law groups in the U.S., Risling says the group might consider additional, independent firms piecemeal.

"We're looking fresh in terms of what would be the best opportunity with our clients in terms of creating a relationship with American law firms in various jurisdictions," he says, suggesting clients in the fold could have their own firms of preference in the U.S. that the group would consider approaching. 

— By Daryl-Lynn Carlson