

Reinsurance Audits & Disputes

Proactive Counsel in Reinsurance Audits & Disputes

The attorneys at Kaufman Dolowich's deliver strategic counsel and representation in connection with reinsurance audits and disputes. Our lawyers combine an extensive understanding of the reinsurance market with decades of experience handling sophisticated insurance claims and coverage matters, to provide our insurance carrier clients with sound and proactive solutions that protect and advance their business interests.

Reinsurance contracts are designed to protect an insurance carrier (the "cedent") from exposure to large coverage risks associated with disasters, catastrophes and other high loss events. The reinsurance process allows an individual insurer to offer policies to parties whose coverage needs are often too great for a single insurer by spreading the risk across multiple carriers. In entering into a reinsurance contract with other insurance companies, the individual carrier is able to better protect itself from heavy losses that could potentially lead to financial ruin for the company.

Reinsurance Audits

The attorneys at Kaufman Dolowich are well versed in handling both facultative reinsurance and treaty reinsurance contracts. In connection with such contracts, our lawyers are regularly retained by reinsurers to conduct audits of the ceding insurance company's records and operations. We perform these audits across all lines of insurance, including directors & officers, professional liability/errors and omissions, and medical malpractice policies. During the audit process we carefully review the cedent's claims processes and procedures to identify and evaluate issues that could lead to significant risks and exposure for the reinsurer. We also assess the cedent's reserve sufficiency and provide comprehensive reports of the audit to our reinsurer clients.

Reinsurance Disputes

Reinsurance disputes can be highly contentious and call for proficiency in areas beyond traditional coverage and reinsurance contract issues. As the issues and disputes affecting the industry have grown more varied and complex, the requisite legal skills have expanded accordingly. More structured contracts lead to more complicated conflicts and disputes. Kaufman Dolowich's Reinsurance Audits & Disputes Practice provides clients with the highest quality legal services covering the full range of disputes impacting the insurance industry. When reinsurance issues surface, our objective is to help our clients reach a favorable outcome as early on as possible in the process. We understand that long and protracted legal battles are not only costly for our clients, they can also significantly disrupt their day-to-day and long-term business operations.

In some cases a reinsurance dispute may not be able to be properly resolved between the parties and may require more formal proceedings, such as arbitration or litigation. Our lawyers have arbitrated dozens of reinsurance disputes, many of which involved underlying issues arising out of mass torts, builder's risk, appearance and abandonment coverage, treaty and facultative issues, follow-the-fortunes and duty of utmost good faith. When arbitration is not appropriate, our lawyers aggressively advocate for our clients' positions in state and federal courts. We leverage an advanced understanding of the industry with decades of experience litigating complex insurance matters to achieve optimal results for our clients.