



VOLUNTARY EXCESS PROGRAM FAQs

1. What are the available limits?

CLIA's Voluntary Excess Program (VEP) provides the option of additional coverage limits of up to \$35M per claim, with a \$35M annual aggregate. The limits available under the VEP are \$1M, \$2M, \$3M, \$4M, \$6.5M, \$9M, \$14M, \$19M, \$24M, \$29M, and \$34M excess of \$1M.

2. Is CLIA excess coverage claims based or occurrence based?

Like most liability policies, our excess liability program is "claims made", meaning insurance needs to be in place when a claim is made and not when the work is done. It is not transactional based coverage. Statutes of limitations provide for a time period in which to present claims, and firms that do not renew their insurances will not have coverage for losses reported after the expiry date of the policy. As such, coverage purchased out of the need for a single transaction will need to be purchased as long as the possibility of a claim still exists. See [Claims Based vs. Occurrence Based: Understanding Your Coverage Needs](#) for more information.

3. Does my excess coverage apply to claims that occurred before me or my firm had excess coverage in place?

Your excess coverage only applies to claims that occurred when you or your firm had CLIA excess coverage in place. For example, if your firm has continuously had CLIA excess coverage in place for the last 10 years and the claim occurred 8 years ago, the claim would likely be eligible for coverage under the current insurance policy. However, if the claim occurred 15 years ago, before the CLIA excess coverage was in place, then typically the claim would not be eligible for coverage under the current insurance policy.

4. Are higher limits available for cyber coverage?

CLIA continues to offer a stand-alone cyber insurance product with higher limits than the cyber coverage we offer with the mandatory insurance. The stand-alone cyber insurance can be purchased in conjunction with the excess liability coverage or on its own. See our [Cyber Insurance Overview](#) materials for more information.

5. Is CLIA excess insurance and cyber insurance available for Alberta lawyers?

Yes, both are available. For Alberta lawyers, the Alberta Lawyers Indemnity Association (ALIA) administers a Mandatory Cyber insurance program. However, CLIA also provides an optional, enhanced stand-alone cyber insurance product for Alberta lawyers. See our [ALIA Cyber Insurance materials](#) for more information.

6. Why should I choose CLIA for my excess coverage?

There are a number of reasons to choose CLIA including:

- Low investment in added security;
- Convenience;
- Experience;
- Claims consistency and seamless process from mandatory to excess;
- High customer satisfaction;
- Referral program.

See [Overview of the CLIA Voluntary Excess Program](#) for more information.

7. What factors should I consider when determining coverage?

Factors to consider include:

- The type of transactions and the potential impact on your clients;
- The size and frequency of large transactions;
- Whether former associates and partners have coverage that is either inadequate or excludes their past activities; and
- Whether the impact of the advice you've provided (and therefore potential liability) may grow over time.

See [Do You Need Excess Coverage](#) for more information.

8. Is excess insurance just for 'higher risk' areas or larger firms?

All legal work can have exposure to large value claims. Don't equate the amount charged to a client with the potential claims amount if an error occurs. Even 'small matters' like a will prepared by a small firm in a rural community could result in a claim over the \$1 M limit.

9. When is renewal and how do I apply?

The online application to apply for excess Insurance products can be completed any time after May 1, 2024, by going to the [Excess insurance](#) section of the CLIA website.

Existing Customers

- The renewal period will be open until **June 30, 2024**.
- Pricing can change year to year - [request a quote](#) before you apply.
- When you're ready, [Sign In To Your Account](#) to access the application form. Note that the form will be prepopulated with your previous information. Please update if needed.

New Customers

- Submit applications until **July 31, 2024** - applications submitted after that date will be prorated. **Note:** Cyber coverage cannot be prorated.
- [Request a quote](#) before you apply.
- When you're ready, [Create An Account](#) to access the application form.

10. Is there information I need to gather before applying?

Gather the following information:

- Have any of the lawyers listed on your application or their predecessors been the subject of disciplinary proceedings, suspended or disbarred from practice?
- During the past 12 months (if renewal) or 5 years (if new application), have any claim related matters been reported to the Law Society by the firm, its predecessors and/or present and former lawyers?
- After inquiry of the Firm's lawyers, is the firm aware of any circumstances which would likely give rise to a claim against the firm, its predecessors and/or present and former lawyers, which has not been reported?

If applying for excess cyber coverage, your firm must meet certain requirement in order to be eligible. Some of the questions in the application form may require the assistance of your IT department. If you would like the questions in advance, contact cliacyber@ar-services.ca.

11. I'm retiring. Do I need excess insurance?

Retiring from practice does not exempt you from the risk of liability. You continue to be liable for the professional services you provided in the past. If you were at a firm that purchased excess insurance through CLIA, you retain that excess coverage so long as your former firm maintains that excess policy and pays for your excess coverage. If your previous firm dissolves or ceases to renew excess coverage, you may be at risk if a large claim arises.

See Insurance Coverage For Retirees for more information.