



25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

OPTION 2  
Mandatory Disclosure Requirement with Voluntary Assessment

**Rule 1-210. Disclosure of Professional Liability Insurance**

- a) Each year, every member of the State Bar of Georgia shall certify:
  - 1) Whether the member is engaged in the private practice of law; and
  - 2) Whether the member is currently covered by a policy of professional liability insurance.
- b) Each member who has previously reported being covered by professional liability insurance as set forth in paragraph (a)(2) of this Rule shall notify the State Bar of Georgia in writing in such form and manner as the Board may designate within 30 days if the insurance policy providing coverage lapses, terminates, or is no longer in effect for any reason.
- c) The information required by this Rule shall be publicly available and included in the member's listing in the Member Directory on the official website of the State Bar of Georgia.
- d) The State Bar of Georgia encourages those members who do not have professional liability insurance to complete the Bar's voluntary online self-assessment of the operation of their law practice and to avail themselves of the resources which it recommends to address any deficiencies identified by the self-assessment.
- e) The information required by this Rule is due on July 1 of each year. A member who does not comply with the requirements of the Rule by September 1 shall cease to be a member in good standing. A member deemed not to be in good standing under this Rule shall be returned to good standing upon making the disclosure required in subpart (a) to the Membership Department of the State Bar of Georgia.

51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73

OPTION 3

Mandatory Disclosure Requirement with Mandatory CLE for Lawyers Without Insurance

**Rule 1-210 Disclosure of Professional Liability Insurance.**

(a) Each active member of the State Bar of Georgia shall disclose on the annual license fee statement whether the lawyer has malpractice insurance and if so, shall disclose the dates of coverage for the policy.

(b) Each lawyer shall maintain, for a period of six years from the date the coverage is reported, documentation showing the name of the insurer, the policy number, the amount of coverage and the term of the policy, and shall produce such documentation upon the request of the State Bar of Georgia.

(c) Every other year, beginning with registration for 2020-2021, each lawyer who discloses pursuant to paragraph (a) that he or she does not have malpractice insurance and who is engaged in the private practice of law shall complete a self-assessment of the operation of his or her law practice or shall obtain malpractice insurance and report that fact on the annual license fee statement for the following year.

(d) The lawyer shall complete the self-assessment in an interactive online educational program provided by the Bar regarding professional responsibility requirements for the operation of a law office. The self-assessment shall require that the lawyer assess his or her law office operations based upon those requirements. The self-assessment shall be designed to allow the lawyer to earn four hours of Ethics CLE credit and to provide the lawyer with results of the self-assessment and resources for the lawyer to use to address any issues raised by the self-assessment. All information related to the self-assessment shall be confidential, except for the fact of completion

74 of the self-assessment, whether the information is in the possession of the Bar or the lawyer.

75 Neither the Bar nor the lawyer may offer this information into evidence in a disciplinary

76 proceeding. The Bar may report self-assessment data publicly in the aggregate.

77 (e) The information required by this Rule is due on July 1 of each year. A member who is not

78 covered remains in good standing for one year from the date of the required disclosure. If the

79 member does not complete the self-assessment required at parts (c) and (d) and does not obtain

80 insurance, he or she goes out of good standing on July 1 of the following year. A member

81 deemed not to be in good standing under this Rule shall be returned to good standing upon

82 making the disclosure required in subpart (a) to the Membership Department of the State Bar of

83 Georgia and, if not covered by a policy of malpractice insurance, by completing the self-

84 assessment course.

85

86

OPTION 4  
Mandatory Insurance Requirement

**Rule 1-210. Professional Liability Insurance**

(a) All active members of the State Bar of Georgia engaged in the private practice of law in Georgia must be covered by a policy of professional liability insurance, in an amount no less than \$100,000 per occurrence and \$300,000 in the aggregate (“Minimum Limits”). For any Minimum Limits policy the expenses of defense must be outside the policy limits so that the Minimum Limits stated above are not reduced by payment of attorney’s fees or claims expenses incurred by the insurer for the investigation, adjustment, defense, or appeal of a claim.

(b) The following members shall be exempt from the requirements of this rule:

(1) Members who are employed by a governmental entity or other organization and whose practice is limited to matters concerning the entity or organization;

(2) Members whose practice consists solely of serving as an arbitrator or mediator; and

(3) Members who are not actively engaged in the practice of law or who do not represent clients.

(c) Each lawyer who is required by this rule to have professional liability insurance shall so certify by providing the name of the insurance company and the policy number on the annual license fee notice, and shall notify the Membership Department of the State Bar of Georgia in writing within 30 days if coverage lapses, is no longer in effect, or terminates for any reason. Each lawyer’s insurance status shall appear in the State Bar Member Directory as either “yes,” “no,” or “exempt.”

112 (d) The information required by this Rule is due on July 1 of each year. A member  
113 who does not comply with the requirements of the Rule by September 1 shall cease to be  
114 a member in good standing. A member deemed not to be in good standing under this  
115 Rule shall be returned to good standing upon providing the Executive Director of the  
116 State Bar of Georgia with proof of professional liability insurance coverage.

117

118