

IN BRIEF

THIS ISSUE

October 2004

Issue No. 93



PROFESSIONAL LIABILITY FUND
www.osbplf.org

MALPRACTICE AVOIDANCE NEWSLETTER FOR OREGON LAWYERS

WHAT TO DO ABOUT STOLEN/LOST CLIENT FILES

You leave the office. It's a typical busy day, and you take a few files with you to work on at home. On the way, you stop at the grocery store to pick up a few items. On returning to the parking lot, you realize your car has been stolen. As you call the police and your insurance company to report the incident, you realize that your client files were in the car . . .

If this or a similar nightmare happens to you, call the PLF for advice on how to discuss this with your client. It is important to let your client know that the file has been lost or stolen and that you will be reconstructing the file. In addition, if your file, briefcase, or laptop contained social security numbers, birth dates, or other information that would allow someone to steal your client's identity, your client will need to know in order to take the appropriate precautionary steps.

If your files are lost or stolen, contact your business insurance carrier to see whether your business policy covers you for the cost of reconstructing the file. This type of coverage is often included in your property coverage and may be referred to as Valuable Papers coverage.

The property coverage of your business insurance is also the coverage that would apply to replacement of stolen laptops, although a deductible may apply.

To make sure you have the level and type of coverage you want, contact your local insurance broker. A wide range of coverage limits and business coverage packages are available. Premiums vary with the amount of coverage, usually running from \$250 to \$1,500 per year.

DISCLAIMER

THIS NEWSLETTER INCLUDES CLAIM PREVENTION TECHNIQUES THAT ARE DESIGNED TO MINIMIZE THE LIKELIHOOD OF BEING SUED FOR LEGAL MALPRACTICE. THE MATERIAL PRESENTED DOES NOT ESTABLISH, REPORT, OR CREATE THE STANDARD OF CARE FOR ATTORNEYS. THE ARTICLES DO NOT REPRESENT A COMPLETE ANALYSIS OF THE TOPICS PRESENTED AND READERS SHOULD CONDUCT THEIR OWN APPROPRIATE LEGAL RESEARCH.