



**OBLIC**

Ohio Bar Liability  
Insurance Company

# MALPRACTICE ALERT!

May 2000 • 1650 Lake Shore Drive • Columbus, OH 43216-2708 • 614/488-7924 • Ohio Wats 1-800-227-4111

## LOSS PREVENTION SEMINAR SCHEDULED AT OSBA CONVENTION

Mark your calendar now and plan to attend. You won't want to miss what promises to be an interesting and informative seminar, full of practical tips! For the 12<sup>th</sup> consecutive year, OBLIC will team with the OSBA Solo, Small Firm and General Practice Section to present its annual convention loss prevention seminar. The seminar will also be co-sponsored by the OSBA Women in the Profession Section and the Paralegal/Legal Assistants Committee.

The seminar, titled "Survival Skills for the New Millennium," will be held on Thursday, May 18, 2000 at 2:00 P.M. during the Ohio State Bar Association Annual Convention at the SeaGate Convention Centre/Radisson Hotel in Toledo, Ohio.

Shari R. Pearlman, MSW, JD, of the Oregon Attorney Assistance Program, will present "Management Skills for Lawyers and Legal Professionals." Her topic will address balancing family life with office duties and running the office as a team. She will also cover gender differences in perception of task delegation and in communication and specifically address how the whole office works together.

Jonathan Coughlan, Disciplinary Counsel, the Supreme Court of Ohio, will give an hour presentation fulfilling the ethics requirement. His topic, "Ethical Considerations," will highlight what happens when attorneys do not address the stress-related, management issues in their lives.

The seminar will conclude with "Status Report: OLAP Mental Health Project Task Force." It will be given by Heather G. Sowald, Chair of Task Force studying the provision of "broad brush" services, including mental health assistance, by the Ohio Lawyers Assistance Program.

Materials for the seminar will be published in the Law Office Management Handbook: Survival Skills for the New Millenium. This will be distributed at the Convention and mailed after the convention to OBLIC policyholders.

OBLIC does not have a separate charge for attending this seminar, but you must register for the OSBA Annual Convention to attend. Full and half day rates are available, with Early Bird discounts until April 26th. Register today! You won't want to miss this!

## AMENDED OHIO SUPREME COURT RULES OF PRACTICE EFFECTIVE APRIL 1, 2000

The Ohio Supreme Court adopted amendments to the Supreme Court Rules of Practice, Rules II, III, IV, V, VI, IX, X, and XI, effective April 1, 2000. For a full text of the amendments please see Ohio State Bar Association Report, February 14, 2000, Vol. 73 #7 and March 20, 2000, Vol. 73 #12 or [www.sconet.state.oh.us/rules](http://www.sconet.state.oh.us/rules).

Of note is **Rule II, Section 2. Institution of Appeal from Court of Appeals**, (A) Perfection of Appeal providing, inter alia, (I) (a) "If an appeal involves termination of parental rights or adoption of a minor child, or both, the appellant shall file the notice of appeal in the Supreme Court within 20 days from the entry of judgment being appealed." Attorneys who practice family law should note this lessens the time period for other appeals stated in the same section: "To perfect an appeal from a court of appeals to the Supreme Court, other than in a certified conflict case (which is addressed in S. Ct. Prac. R. IV), the appellant shall file a notice of appeal in the Supreme Court within 45 days from the entry of judgment being appealed."

Attorneys should also note that pursuant to (I) (b) of said section, "Except as provided in divisions (A)(2), (3), and (4) of this section, the time period designated in this rule for filing a notice of appeal and memorandum in support of jurisdiction is mandatory, and the appellant's failure to file within this time period shall divest the Supreme Court of jurisdiction to hear the appeal."

## **OBLIC PREMIUM DISCOUNT CALCULATIONS**

At present time, two discounts to your OBLIC policy premium are possible.

One discount is for membership in the Ohio Bar College. To qualify for the College, an attorney must be a member of the OSBA, complete 24 hours of CLE credit within one calendar year, and apply for membership in the College. The premium is first computed based upon the years of "prior acts" being covered by the claims-made policy, along with the limits of liability and deductible amount selected. At

that point, a 15% premium reduction is computed for that attorney's share of the policy premium, if the Bar College discount applies.

The other discounts available are the "claim-free" discounts, which range from 5-30%. This premium only applies on a policy basis, and not a per attorney basis. However, the relevant share of the discount will be calculated for each attorney's share of the policy premium. The claim-free discount is deducted from the premium after any 15% Bar College discount has already been deducted.

For example, assume that a lawyer's policy premium before discounts is \$1,000. The lawyer qualifies for a Bar College discount, and a 20% claim-free discount. The 15% Bar College discount is first deducted, for a premium of \$850. Then a 20% claim-free deduction is taken from the \$850 amount, for a total premium of \$680. Simply adding the 15% and 20% discount together for a total of 35%, and deducting the combined percentage from \$1,000 will not provide the correct premium calculation.