

Why Engineers/Design Professionals cannot purchase any insurance coverage to provide defense for his/her clients prior to negligence being established

Engineers and Architects, like doctors, lawyers, and CPA's, are licensed professionals required by law to meet the standard of care for their professions as determined by their peers. An engineer is negligent only if and when it is established that his/her services failed to meet that standard of care. Professionals are not required by law to be perfect as they are providing a service, not a product.

Professional liability insurance for all of the professions listed above is written to cover damages caused by a professionals' negligent acts, errors or omissions. Consequently, an engineer cannot purchase any insurance coverage to provide defense for his/her clients prior to negligence being established.

In contrast, contractors are strictly liable because they are providing a product-negligence does not need to be established to trigger insurance coverage. Therefore, contractors' liability insurance follows what the law requires of them and their liability insurance will provide defense for their clients prior to negligence being established.

Robert O. Strine

Vice President - Professional Liability

USI Colorado

6501 South Fiddlers Green Circle, Suite 100

Greenwood Village, CO 80111

303.831.5290 direct : 800.873.8500 toll free

303.601.7456 cell : 303.831.5295 fax

Bob.Strine@usi.biz

www.usi.biz