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Walking the Tightrope: The Delicate Balancing Act of Defending Low Limit Legal Malpractice Cases, PLUS Journal, by Vincent S. Green

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What are the most difficult legal malpractice defense cases? They are not what you think. It is not the high exposure case or the overly involved client. Rather, it is the very low (usually \$100,000) depleting limits policy cases.

A depleting limits policy means the cost of defense is deducted from the amount available to fight the case. The more vigorously an attorney defends the case, the less there is available to settle or try the case. This is especially tricky when there may not be enough money left on the policy to try the case to the end or to cover a damage award and the financial burden then falls on the attorney client.