

Mediator Professional Liability Insurance (PLI)

Who is required to obtain mediator Professional Liability Insurance (PLI)?

- A. No state laws were identified that require mediators to obtain Professional Liability Insurance (PLI).

- B. Some court systems require PLI for mediators receiving court referrals. Examples:
 - 1. Cuyahoga County (Ohio) Court of Common Pleas, Domestic Relations
“(E) Qualifications. Mediators shall have the following minimum qualifications: (4) Maintenance of appropriate liability insurance specifically covering the activities of the individual mediator.”
 - 2. First Circuit (Illinois) Rule - Court Ordered Mediation. *“File an approved application form with the office of the Chief Judge of the First Judicial Circuit and certify that his or her applicable license with the State of Illinois is in good standing, that he or she has practiced his or her profession for more than five (5) years, and that he or she has filed proof of professional liability insurance.”*
 - 3. West Virginia Family Court-Ordered Mediation *“To be a “Court-Approved,” a mediator must, at a minimum, have.... 5. Professional liability insurance;...”*

- C. Some Conflict Resolution Professional Organizations require PLI for specific levels of membership or in order to be placed on referral lists. Examples:
 - 1. Connecticut Council for Divorce Mediation and Family Dispute Resolution
“3. All Practitioner Members must carry professional liability insurance that covers the specific ADR activities carried on by the member or be otherwise indemnified from said activities.”
 - 2. Indiana Association of Mediators, Referral Agreement . *“I understand that mediator liability insurance coverage of not less than One Hundred Thousand Dollars (\$100,000.00) is a condition to participation in the panel.”*
 - 3. Association for Conflict Resolution (ACR) Workplace Mediator AP Designation Minimum Standards. *“Advanced Practitioner - Workplace Mediation member status requires that the applicant be a Practitioner Member of ACR in good standing and show evidence of liability insurance in force that covers provision of mediation services.”*

Where can a mediator obtain Professional Liability Insurance (PLI)?

- A. Profession of origin, *i.e. Mental Health, Legal, etc.*, PLI policies often include riders or language that cover the practice of mediation. Examples:
 - 1. Psychologists Professional and Office Liability Insurance Program. Program Administered by: American Professional Agency, Inc.
 - 2. Social Workers Professional and Office Liability Insurance Program Administered by: NASW Assurance Services.

- B. Individual PLI policies may be available through the following sources who may require professional membership in a partner professional organization.
 - 1. Complete Equity Markets, Inc.
1190 Flex Court
Lake Zurich, Illinois 60047
(800) 323-6234
www.cemins.com/mediators.html
 - 2. Marshall and Sterling Insurance
300 Rte 23B
Leeds, NY 12451
(800)724-0695
www.marshallsterling.com