

Legal Expenses / After The Event (ATE) Insurance

ATE insurance is a type of legal expenses insurance policy that helps mitigate the legal costs incurred in the pursuit or defence of litigation and arbitration. An ATE policy (unlike a BTE policy) is purchased after a legal dispute arises, where any liability to pay an opponent's legal costs, if the opponent wins, is covered by the ATE policy.

Scholar and Partners provides innovative and practical solutions to assist litigants in the event of an adverse result.

Like our relationships with Solicitor's PI insurers, we have built up strong relationships with leading ATE insurers, who also share in our ethos in keeping you/your client, front and centre in all of our undertakings. Our relationships also extend to working alongside Litigation Funders, who are all too willing to support claimants with their own costs and expenses. The Litigation Funders can also help to facilitate non-recourse funding arrangements.

The benefits to the claimant an ATE policy gives is:

Peace of mind from financial burden – In the event of an unsuccessful claim, ATE insurance transfers the risk of having to pay the other side's legal bill: costs and expenses in exchange for a calculated premium. The option to defer premium payment can be contingent upon a successful outcome or staged throughout the litigation cycle.

Strength in numbers – The presence of an ATE policy forces the opposing side to reconsider their argument, as they know that any ATE provider will have conducted a separate, independent review of the case and will have instructed their own legal team to review the case, thus providing support to the Solicitor and Counsel. Such a course should provide an incentive for the other side to accept any proposed pre-trial settlement.

Access to justice – Having an ATE insurance policy arranged sends the message to the opposing team, that any attempt by a larger, wealthier defendant wishing to outspend a claimant will prove futile, as the claimant will have mitigated any financial burden of staying the course with an appropriate ATE insurance policy.

Our risk profile:

Our ATE Insurers and Litigation Funders are able to provide "risk-transfer solutions" for most areas of commercial litigation:

- Commercial Contract Disputes
- Contentious Probate
- Group/Class Actions
- High profile disputes – from sporting disputes to HNW/UHNW disputes
- Property Disputes
- Insolvency/ Liquidation & Tax
- Professional Negligence

For further information please contact:

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