

Primary Defense LSA changes (May 2018 v. July 2020 version)

Note: Chubb is revising its Defense LSA and is making some significant changes from the May 2018 revision. This table notes some of the primary changes between the two documents, but it is not intended to be all encompassing and should not replace a full evaluation of the new LSA.

LSA Provision	Reference	Summary
Billing Procedures	I (A) (2)	The LSA specifies that where a law firm is acting for more than one member of The Company on a single Assignment, it must raise separate invoices to each Company.
Diversity & Teamwork	I(A)(3)	The LSA addresses the importance of diverse teams to ensure Insureds receive the optimal result
Privilege and Confidentiality	I(A)(4)	The LSA addresses the potential that third parties may access attorney work-product.
Financial Crimes & Sanctions	I(A)(10)	The LSA prohibits participation in financial crimes.
Anti-slavery & Human Trafficking	I(A)(11)	The LSA prohibits in human trafficking activities
Work Descriptions	III(C)(1)	The LSA specifies invoices should not contain attorney-client privileged information and adds some specific requirements for billing descriptions.
Multiple Fee Earners	III(C)(3)	This section clarifies billing requirements for tasks involving multiple timekeepers generally, and specifically addresses issues related to intra-office conferences.
Medical Records reviews	III(C)(5)(f)	This section provides new guidance on what is allowed and what requires approval when necessary document reviews include medical records
Other Vendors	III(D)	The LSA specifies the obligations of Law Firms when retaining Other Vendors generally. It also specifies that the obligation to confirm the validity of the services billed by an “Other Vendor” may extend to reviewing invoices within Chubb’s eBilling system.
Electronic Discovery, Court Reporting, Medical Record Retrieval and Translation	III(D)(4-7)	The LSA specifies that these service types may have mandatory vendors, and that using unapproved vendors made lead to non-payment for any expenses or resulting fees billed by the law firm.
Travel Expenses	III(E)(3)	The LSA adds clarity around allowable classes of air fare, rental cars, rail, taxi and “ride share” travel methods
Courier, Messenger, Expedited Delivery and Similar Services	III(E)(8)	E-Filing is specified as the preferred means of filing pleadings
Non-Billable/Secretarial Matrix	Appendix 2	Several changes were made to this list (e.g. Lists of documents)
Non-Billable/Overhead Matrix	Appendix 3	Several changes were made to this list (e.g. Local meals)
Paralegal Task Matrix	Appendix 4	Several changes were made to this list (e.g. Lists of documents)
Mandatory External Vendors	Appendix 5	The endorsement updates the list of mandatory vendor types (including new programs for record retrieval in the US and translation for a variety of US and international jurisdictions). It also specifies the roles and responsibilities of the Law Firm in contracting with, reviewing and approving these vendors and their resulting invoices
Information Security Best Practices	Appendix 6	The document has expanded the firm’s obligation to cooperate with security control reviews, and made minor changes to the “Chubb Data” definition, the deletion of data (Section 4), access control (section 7.6) and physical and environmental controls (Section 7.8).
Compliance with Laws	Appendix 10	A few minimal changes were added to the section applying to the Country Specific Requirements Section (eg. The UK)

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