

Internet Resources for Insurance Law

By Barbara Bonge

A friendly gecko, a large umbrella, and cradling hands are images insurers present to prospective insureds. Despite these images, insurance often becomes a source of dispute, with the friendliness and protectiveness of insurance being tested. That's when research into insurance law is called for.

Both Lexis and Westlaw include insurance as one of the topics for which they offer a group of databases of primary and secondary sources relevant to insurance law. And the major multivolume treatises on insurance law, *Appleman on Insurance, 2d*, from LexisNexis, and *Couch on Insurance, 3d*, from West, are on Lexis and Westlaw, respectively. Specific to Michigan law, ICLE's *Michigan Insurance Law and Practice* is available online by subscription.¹ This article, however, will explore some free Internet sources that may aid in researching insurance problems.

The first order of business is understanding the language. Insurance has many perplexing terms; to get at their meanings, look at the extensive glossaries offered by the International Risk Management Institute at <http://www.irmi.com/forms/online/insurance-glossary/terms.aspx> and the Insurance Information Institute at <http://www.iii.org/media/glossary/>.

The Insurance Information Institute also has an online *Insurance Handbook for Policy Makers* at <http://www.iii.org/media/research/publicpolicymakershandbook/> that is a basic guide to insurance matters. It includes a lively discussion of liability insurance covering court decisions and trends in tort reform.²

Statutory Sources

While insurance regulation is mainly a state law matter,³ federal statutes affect in-

surance law as well. A good starting point that lists many of these federal statutes is Cornell University's Legal Information Institute at <http://topics.law.cornell.edu/wex/Insurance>. This site also has links to United States Supreme Court decisions dealing with insurance and links to state statutes. Findlaw also provides a listing of federal insurance statutes at http://www.findlaw.com/01topics/44insurance/gov_laws.html.

Michigan insurance statutes are in sections 500.100 to 550.2009 of the Michigan Compiled Laws and can be searched by key word or MCL section number at <http://www.legislature.mi.gov>. To find a list of Michigan insurance statutes with links to the online version, go to the website for Michigan's Office of Financial and Insurance Regulation (OFIR) at http://www.michigan.gov/dleg/0,1607,7-154-10555_13167_13168---,00.html.

OFIR is charged with the regulation of financial institutions, insurance, and securities industries in Michigan, overseen by the commissioner.⁴ The link to the administrative rules that OFIR promulgates, part of the Michigan Administrative Code, is at http://www.michigan.gov/dleg/0,1607,7-154-10555_13167_34745---,00.html. OFIR's website includes links to various types of decisions and orders, bulletins back to 1971, forms, publications, and information for both consumers and insurers. Anyone research-

ing insurance law should become familiar with OFIR's website.

Looking at websites for offices similar to OFIR in other states is a good way to research other states' insurance laws. To find these websites, go to the States and Jurisdictions link at <http://www.naic.org/>, the website for the National Association of Insurance Commissioners.

The National Conference of Insurance Legislators (NCOIL), <http://www.ncoil.org>, proposes model laws and regulations. NCOIL is "the voice of state legislators in Washington in the face of mounting federal initiatives to preempt state insurance regulation."⁵ The NCOIL website also has news about state and national legislation.

Judicial Decisions

Interpretation of Michigan's insurance statutes and rules by the state appellate courts can be researched online through the Michigan Appellate Digest at <http://coa.courts.mi.gov/Digest/DigestLaunchPage.jsp>, which covers Michigan Supreme Court and Court of Appeals published opinions back to 1992. The Digest has "Insurance" and "Insurance—Automobile" as major topics, both with long lists of subtopics. Each subtopic leads to one or more opinions and can be browsed or searched using Subtopic Search.

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The Digest also has the equivalent of annotated statutes with its Statutes search option. You can enter an MCL section number in the search box to locate opinions dealing with that section.

Related Information

For Michigan-specific information, turn to the Insurance Institute of Michigan's website at <http://www.iiminfo.org/>. The media links include hot topics and extensive statistical information, often broken down by county. The Fact Book provides basic information about Michigan insurance matters. Current legislation is tracked under Governmental Affairs.

Most of the industry websites already mentioned have features that provide information about current insurance issues. In particular, the Insurance Information Institute (III) at <http://www.iii.org> has links to extensive statistical information and studies. A good source for news stories of interest to the insurance industry is the *Insurance Journal* at <http://www.insurancejournal.com/>.

Insurance law news from the viewpoint of a lawyer is given in a blog called Insurance Claims and Issues at <http://www.insuranceclaimsissues.typepad.com/>, written by Dennis J. Wall.⁶ Another lawyer's blog dealing with current news is Insurance Coverage Litigation at <http://www.insurancecoveragelawyerblog.com/>, written by Alan S. Rutkin.⁷ RiskProf, at <http://riskprof.typepad.com/tort/>, is a blog written by law school professors commenting on current events affecting insurance.

A Michigan lawyer's blog on insurance law, specifically long-term disability, is at <http://www.michiganlongtermdisabilityinsurancelawyer.com/>, published by Serafini, Michalowski, Derkacz & Associates, P.C. Other insurance blogs are listed at the ABA's Blawg Directory site at <http://www.abajournal.com/blawgs/>.

Finally, a good site to bookmark for links to all kinds of insurance information is <http://www.iso.com/Research-and-Analyses/Links-for-Insurance-Research/ISO-Links-for-Insurance-Research.html#lega>. This classified list covers topics from actuarial to workers' compensation. ■

Barbara Bonge is the librarian for the Michigan Supreme Court and Court of Appeals. She has a BA and AMLS from the University of Michigan and a JD from the Thomas M. Cooley Law School. She is a member of the State Bar and an adviser to the Committee on Libraries, Legal Research, and Legal Publications.

FOOTNOTES

1. See ICLE Store, Online Library <http://www.icle.org/modules/store/books/onlinelibrary/library_current_books.aspx>. All websites cited in this article were accessed May 10, 2009.
2. See Insurance Information Institute, Liability System <<http://www.iii.org/media/hottopics/insurance/liability/>>.
3. This is an issue of particular current interest; see NAIC News Release, *Geithner Proposal Maintains State Insurance Supervision* <http://www.naic.org/Releases/2009_docs/geithner_proposal.htm>.
4. The Office of Financial and Insurance Regulation (formerly the Office of Financial and Insurance Services) is part of the Department of Energy, Labor & Economic Growth (DELEG), which was formerly the Department of Labor and Economic Growth. See <<http://www.michigan.gov/dleg/0,1607,7-154-10555-40268-,00.html>>.
5. See NCOIL, History and Purpose <<http://www.ncoil.org/ncoilinfo/about.html>>.
6. Mr. Wall is a Florida lawyer with significant experience in insurer coverage and insurer bad faith. See <<http://www.dennisjwall.com/>>.
7. Mr. Ruskin is a partner in the Insurance & Coverage Litigation Practice Group of Rivkin, Radler, LLP. See <<http://www.rivkinradler.com/rivkinradler/Home.asp>>.