

# PREVENTIVE LAW

# 2



## 2.1 OVERVIEW

**T**his chapter provides background information and practical guidance for designing and implementing a preventive law program. Applying preventive law principles is an essential step in reducing liability exposure, saving money, and keeping everything running smoothly. One or more persons in your organization need to comprehensively assess your risks, liability exposure, insurance coverage, and preparedness; preventive law “point persons” also need to be responsible for follow-through on these issues. Failure to look at the overall picture and plan ahead can be an extremely costly mistake.

Section 2.2 describes the major dimensions of the preventive law challenge schools and colleges face. We then summarize recent claims experience of schools and colleges in Section 2.3.

## Chapter 2 Preventive Law

Section 2.4 defines preventive law as a process that includes, yet transcends, the traditional notion of risk management; we also suggest how a risk manager should participate in the preventive law process. Finally, Section 2.5 discusses the five key phases of the preventive law process. In so doing, we highlight the legal audit, the need to plan an effective response to each institutional risk, and the value of a concrete report to the critical stage of implementing the preventive law plan.

