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2026 DRI & LAWYERGUARD RISK MANAGEMENT

SURVEY RESULTS

Emerging Threats, Evolving Responsibilities, and the Future of Legal Risk Management

A Joint White Paper from LawyerGuard and DRI, the Association of Lawyers Defending Business

In an increasingly complex legal and technological landscape, risk management within law firms and legal departments is no longer a periodic exercise but a strategic imperative. The 2026 Risk Management Survey, conducted by DRI, the Association of Lawyers Defending Business, in partnership with LawyerGuard, captures insights from more than 100 legal professionals across firm sizes and practice settings.

The findings reveal a profession in transition. While traditional risks, such as conflicts of interest and calendaring errors, remain persistent, emerging threats driven by cybersecurity, social engineering, and rapidly evolving technologies are reshaping priorities. At the same time, firms are grappling with structural challenges, including talent development, succession planning, and inconsistent ownership of risk management functions.

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THIS REPORT HIGHLIGHTS THREE KEY THEMES:

1

The expansion of risk categories beyond traditional malpractice drivers

2

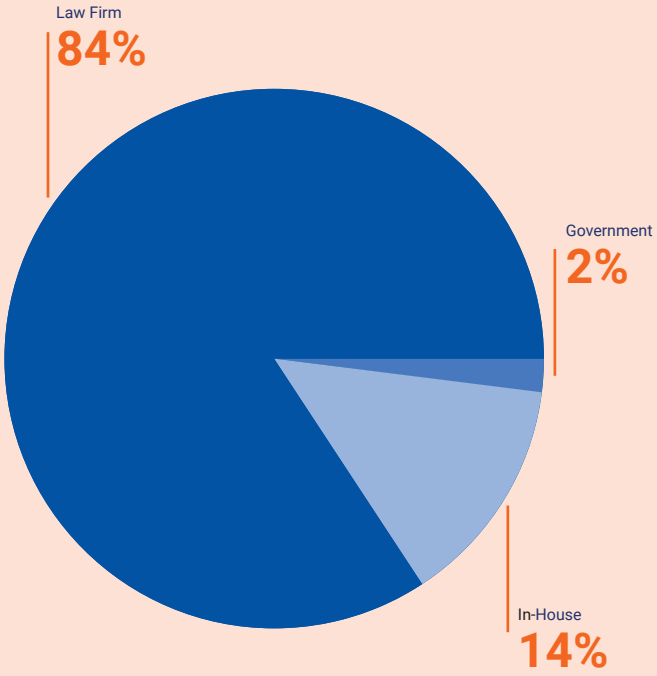
A lack of consistency in risk management ownership and processes

3

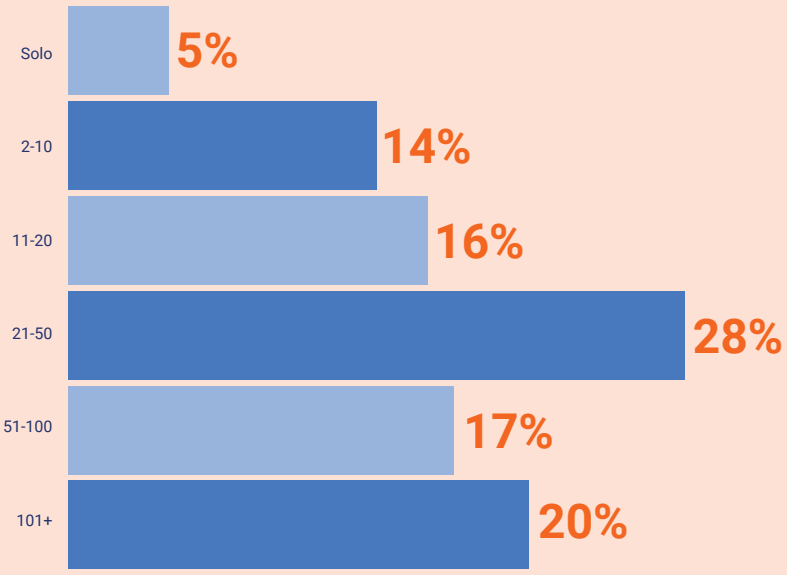
A growing demand for more sophisticated, integrated tools and resources

SURVEY RESPONDENTS

WHAT TYPE OF ORGANIZATION DO YOU PRACTICE IN?



WHAT SIZE IS YOUR LAW FIRM?



WHO IS MANAGING RISK—AND HOW OFTEN?

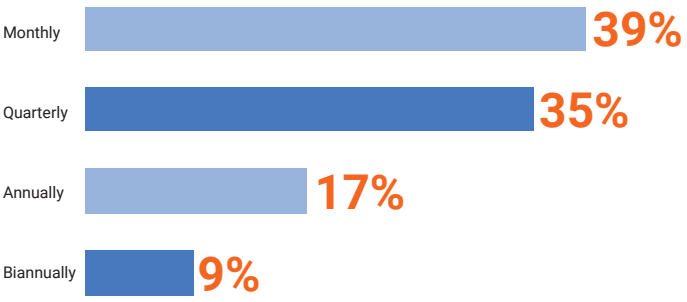
Survey responses indicate that responsibility for risk management is often diffuse. While some organizations have dedicated risk professionals or committees, many rely on firm leadership or shared responsibility models. This lack of centralization can lead to gaps in accountability and inconsistent application of best practices.

FREQUENCY OF RISK ASSESSMENTS VARIES WIDELY:

- Some firms conduct regular (annual or quarterly) reviews
- Others approach risk management reactively or on an ad hoc basis

This inconsistency suggests that many organizations have yet to operationalize risk management as a continuous discipline embedded in daily workflows.

HOW OFTEN DO YOU PREFORM YOUR RISK MANAGEMENT ANALYSIS?



CURRENT AREAS OF FOCUS

MOST RESPONDENTS REPORT THAT THEIR RISK MANAGEMENT EFFORTS SPAN MULTIPLE DOMAINS, INCLUDING:

- Conflicts of interest
- Cybersecurity and data protection
- Calendaring and administrative controls
- Engagement letters and client communication
- Professional liability exposure

While encouraging, the breadth of focus also underscores a challenge: firms are attempting to manage an expanding universe of risks without necessarily having the infrastructure to do so effectively.

WHO IS RESPONSIBLE FOR RISK MANAGEMENT AT YOUR FIRM/LEGAL DEPARTMENT?

40% EXECUTIVE COMMITTEE

29% MANAGING PARTNER

15% DEDICATED RISK MANAGER/RISK MANAGEMENT TEAM

WHAT AREAS DOES YOUR RISK MANAGEMENT ANALYSIS CURRENTLY INVOLVE?

11% Conflicts

10% Billing and financial controls

9% Calendaring and administrative

9% Social engineering, hacking, ransomware

9% Communication

9% Client relationship management

THE MOST URGENT RISKS FOR 2026

When asked to rank the most pressing risks in the coming year, respondents consistently identified a mix of traditional and emerging threats.

TOP EMERGING RISKS

- Cybersecurity, ransomware, and social engineering attacks
- Emerging technologies, including AI-related risks
- Data privacy and information governance

These risks reflect the increasing digitization of legal practice and the corresponding vulnerabilities that come with it.

PERSISTENT OPERATIONAL RISKS

- Conflicts of interest
- Calendaring and administrative errors
- Client communication breakdowns

Despite advances in technology, these longstanding risk areas remain significant drivers of malpractice exposure, suggesting that foundational controls are still unevenly implemented.

STRATEGIC AND ORGANIZATIONAL RISKS

- Succession planning and talent management
- Training and supervision of attorneys
- Firm culture and compliance alignment

These findings point to a broader shift: risk is deeply tied to organizational strategy and sustainability, rather than just operational or technical.

GAPS IN TOOLS AND RESOURCES

RESPONDENTS HIGHLIGHTED A CLEAR APPETITE FOR MORE ROBUST AND ACCESSIBLE RISK MANAGEMENT SOLUTIONS. AMONG THE MOST COMMONLY CITED NEEDS:

- Centralized risk management platforms
- Automated conflict-checking and compliance tools
- Cybersecurity training and incident response resources
- Practical guidance on emerging technologies (especially AI)
- Benchmarking data and best practice frameworks

Notably, many respondents expressed that existing tools are either fragmented or insufficiently tailored to the legal industry's specific needs.

IMPLICATIONS FOR THE LEGAL INDUSTRY

When asked to rank the most pressing risks in the coming year, respondents consistently identified a mix of traditional and emerging threats.

KEY IMPLICATIONS INCLUDE:

1. **Risk Management Must Be Institutionalized**
   Firms should establish clear ownership, governance structures, and regular review cycles to ensure accountability and consistency.
2. **Technology Is Both a Risk and a Solution**
   While emerging technologies introduce new vulnerabilities, they also offer opportunities for automation, monitoring, and predictive risk analysis.
3. **Training and Culture Are Critical**
   Risk management is not solely the responsibility of leadership—it requires firm-wide engagement, supported by ongoing education and a culture of compliance.
4. **Collaboration Will Drive Progress**
   Partnerships between organizations like DRI and LawyerGuard play a vital role in equipping legal professionals with the insights, tools, and frameworks needed to navigate evolving risks

CONCLUSION

The 2026 Risk Management Survey underscores a clear reality: the scope and complexity of risk in the legal profession are expanding rapidly. Firms that proactively adapt by strengthening governance, investing in technology, and fostering a culture of accountability will be best positioned to mitigate exposure and maintain client trust.

As the risk landscape continues to evolve, DRI and LawyerGuard remain committed to providing the legal community with the resources and leadership necessary to stay ahead.

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About DRI

DRI, the Association of Lawyers Defending Business, is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation. Membership in DRI provides access to resources and tools for attorneys who strive to provide high-quality, balanced, and excellent service to their clients and corporations.

About LawyerGuard

Established in 1988, LawyerGuard is a Tampa-based insurance program manager which provides high quality professional liability insurance for multiple classes of attorneys. The program has evolved through decades of experience insuring lawyers across the country, offering enhancements including, but not limited to, mutual choice of counsel, coverage for punitive damages on "most favorable law" basis, crisis event coverage and pre-claim assistance. LawyerGuard provides additional benefits for preferred accounts specializing in defense work, including enhanced policy language, premium credits, and deductible reduction. Additional information about the program can be found at www.LawyerGuard.com. LawyerGuard continues to be the only DRI sponsored lawyers' professional liability insurance program and is the first DRI Premier Corporate Partner.