

Joe Wilson

Special Counsel

Rochester
P: 585.295.4460
jwilson@barclaydamon.com

Education

- University of Minnesota, *Cum Laude*, JD
- University of Rochester, MA
- University of Chicago, BA

Practices & Industries

- Insurance Coverage & Regulation

Admitted to Practice

- New York
- Pennsylvania

Biography

Joe provides counsel on matters throughout the insurance industry, helping clients navigate regulatory and compliance issues in the most challenging jurisdictions. He has extensive experience handling claims and coverage matters, especially those involving complex property, casualty, life, health, and financial products.

Joe is also a chartered property casualty underwriter and provides guidance on operational issues, including product development, rate and form filing, market conduct, formation and licensing, acquisition and sale of product lines, underwriting and claim operations, agency relations, solvency, regulatory accounting issues, and the termination and runoff of property and casualty lines.

Joe is frequently involved in litigation and other disputes regarding coverage under property, casualty, life, and health policies; reinsurance treaties; claims for bad faith and unfair trade practices; and agency and administrative-services agreements.

Bar Associations

- Monroe County Bar Association

Selected Memberships & Affiliations

- CPCU Society
- NYS Department of Financial Services, Accredited Continuing Education Instructor

Representative Experience

- Serves as compliance counsel for several East Coast insurers, advising on form and product-line development, market-conduct issues, underwriting operations, claims-handling procedures, and agency relations.
- Counsels self-insured workers' compensation pools on regulatory and functional issues related to active and run-off operations, including solvency and loss-transfer strategies.
- Assisted East Coast insurers in responding to Hurricane Sandy, including the mitigation of operational and financial impacts resulting from sudden and unexpected adverse regulatory changes.
- Advised a commercial lender on licensing and other compliance issues related to the development and offering of credit-life products in multiple jurisdictions.
- Assisted a foreign employee-benefit firm to obtain approval to sell group health insurance in New York State.
- Counseled a mid-Atlantic insurer on the retention and maintenance of its legacy systems, and developed strategies to minimize the potential impact on claims and coverage liabilities.
- Represented a client with multi-state operations in connection with a $350,000+ penalty for failing to procure workers' compensation insurance in New York State over several years. The penalty was rescinded in full.
- Represented an auto insurer in litigation over the exhaustion of supplemental uninsured- motorist coverage limits, resulting in a favorable decision by the NY Court of Appeals.
- Represented a commercial-liability insurer in coverage litigation over additional insured coverage for assault in public housing, resulting in a favorable decision on appeal.
- Represented a homeowner's insurer in coverage litigation for an alcohol-induced assault, resulting in a favorable decision by the NY Court of Appeals.

Prior Experience

- Hiscock & Barclay, LLP, Counsel

Selected Honors

- *The Best Lawyers in America*®: Insurance Law, 2023–2027
- *The Daily Record* and *Rochester Business Journal*, Legal Excellence Awards: Pro Bono Excellence, 2023

Selected Speaking Engagements

- New York State Association of Self-Insured Counties, “The Collapse of the Group Self-Insurance Market and its Impact on Employers in NYS”
- Manufacturers Association of Central New York, “Development in Workers Compensation Insurance"
- New York Insurance Association Legal Update Call on COVID-19 Issues, “Employer Liability”

Selected Media

- *Rochester Business Journal*, "Insurance Underwriting & Claims Make the Shift to AI Tools"
- *New York Insurance Law*, Co-Author
- *Couch on Insurance 3d*, Forms Vol. 1-3, Co-Author
- *No-Fault Law, Practical Solutions for New York Lawyers*, Consulting Editor
- Defense Research Institute *Confidential and Privileged Information: Protecting Communications, Documents & Sensitive Information From Opposing Parties*, “Reinsurance”

Selected Alerts & Blog Posts

- New York State Limits Insurers' Rights to Refuse Homeowners' Policies Based on Dog Breed
- New York State Enacts New Insurance Disclosure Laws
- COVID-19: Insurance Coverage and Regulation Updates
- Fourth Department Holds That Insurer Was Timely Notified of the "Occurrence," "Claim" and "Suit"
- Insurance Certificates - Are You Covered?