Login to the Database

The Reinsurance Case Law and Contract Clause Database is provided as a member benefit for all RAA member companies. Access is free for members with login at the RAA’s website—www.reinsurance.org.

The Database is available to non-members for a yearly subscription fee of just $795. Contact Pat Cheetham, cheetham@reinsurance.org or 202-783-8382 for more information. (Contact Michelle Weaver, weaver@reinsurance.org, with technical questions about the charts.)

Login: (RAA Members and current Database Subscribers) go to www.reinsurance.org—click on the Legal Research/Resources menu, and choose “Reinsurance Case Law and Contract Clause Database”.

![Login to the Database](https://example.com/login.png)
Welcome to the RAA Reinsurance Case Law and Contract Clause Database

The RAA Reinsurance Case Law and Contract Clause Database combines the Digest of Reinsurance Caselaw and Reinsurance Contract Clauses – Case Law Annotations into a single powerful online reference tool with flexible and user-friendly searches. Now you can research and compile reinsurance case law and contract clause information quickly and easily from a comprehensive, indexed database of reinsurance law.

The Database includes:

- Case summaries of over 1,350 court decisions in over 70 jurisdictions, searchable by case name, jurisdiction, category and key word;
- Court consideration and/or decisions about specific contract wording, including clause text and the court’s discussion of the text.

Search Case Summaries by typing in common reinsurance terms in the “custom keywords” box, or clicking on the “preset keywords” to quickly find summaries of cases that deal with your issues.

Search Contract Clauses to determine whether a court has ever considered specific contract wording by inserting a few key words from the clause as search terms. All cases with this wording will appear in the search results, including excerpts of both the clause text and the court’s discussion of that text. Alternatively, to compare how the courts have treated different forms of a specific type of contract clause, such as “arbitration” or “follow the fortunes” clauses, you can retrieve all the cases in the database discussing that type of clause.

To learn how easy the Database is to use, read the quick start guide in this brochure and go online at www.reinsurance.org.

Benefits:

Reinsurance attorneys and executives can search the Database by using reinsurance terms or “keywords” to find summaries of cases that deal with the issues they are researching. This saves considerable time, providing an excellent starting point for targeted research by allowing the user to quickly identify rulings from a jurisdiction(s) of interest that may have relevant fact patterns. The Database is updated regularly, allowing the user to stay up-to-date about rulings in a given subject area.

The database is also particularly useful for brokers. To learn if a court has ever considered specific contract wording, use a few key words from the contract as search terms. All cases with similar wording will be included in the search results. Brokers can then see excerpts of both the clause text and the court’s discussion of that text, as well as a short summary of the ruling to put it in context.

To compare how the courts have treated different versions of a specific type of contract clause, such as “arbitration” or “follow the fortunes” clauses, all the cases in the Database discussing that type of clause can be easily retrieved in a single search, again with excerpts of the clause text, the court’s discussion of that text, and case summaries.
What type of information is included in the database?

When a U.S. case is reported, the RAA identifies the primary issues and addresses those issues in a summary of the ruling. “Preset keywords” or common reinsurance terms that would be most widely recognized as relating to the issues are then assigned to make searching intuitive. The RAA legal staff also determines whether a contract clause is at issue in the case. If so, an excerpt of the clause is provided, as well as the court’s discussion of the clause.

CASE SUMMARY
At the end of the court discussion is a case summary that assesses the fact pattern and holding of the case.

Court discussion and factual summary allows the user to quickly determine if the case is relevant to their issue.
Search for Case Law

TYPES OF SEARCHES

1. “Search for at least one selected keyword” will provide results that include all cases containing one or more of the keywords the user enters. Choosing “Search for at least one selected keyword” will increase the number of cases retrieved, because any case that contains any one of the selected keywords will be included in the results.

2. “Search for all selected keywords” will provide results that include only those cases containing all the keywords the user enters. Choosing “Search for all selected keywords” will reduce the number of cases retrieved, because no case will be included in the results unless it contains all the selected keywords.

SELECT PRESET KEYWORDS
Click on this button for a list of common reinsurance terms. (See a complete list of preset keywords on pages 5-6.)

CUSTOM KEYWORDS
Supplement the preset terms or choose your own words to search with custom keywords. Type in as many words as you want, separated by spaces. The order of the words does not matter. Search for phrases by enclosing the phrase in quotation marks.

JURISDICTIONS
Click on this button for a list of US jurisdictions. Checking a certain jurisdiction(s) limits your search to cases from that jurisdiction(s). If no jurisdictions are selected, the search will be performed in all jurisdictions.
Keywords

To find out a court has ever considered specific case law, type a few key words from the case law in which you are interested into the “Custom Keywords” box or choose from the “Preset Keyword” list. All cases with clauses which have these words will be included in the search results. (See detailed Case Law Search on page 3)
Access to records
Accord and satisfaction
Agency
Agent authority
Allocation
Alter ego
Ambiguity
Arbitration: collateral estoppel
Arbitration: arbitrator bias
Arbitration: arbitrator duty
Arbitration: arbitrator resignation or incapacitation
Arbitration: clarification of award
Arbitration: clause
Arbitration: clause, conflict with state law
Arbitration: clause, scope of
Arbitration: compelling
Arbitration: confirmation or vacation of award
Arbitration: consolidation (see “Consolidation”)
Arbitration: in insolvency
Arbitration: interim award
Arbitration: location
Arbitration: panel authority
Arbitration: panel selection
Arbitration: waiver of right to arbitrate
Assignment
Assumption reinsurance
Attorneys fees
Audit
Bad faith (see “Good faith”)
Bankruptcy Code Section 304/Ch. 15
Binder (see “Cover note/Binder/Placement slip”)
Broker (see “Intermediary”)
Burden of proof
Cancellation
Captive
Choice of law
Class action
Collateral estoppel (see “Arbitration: collateral estoppel”)
Comity
Commissions
Commutation
Condition precedent
Confidentiality
Conflict of laws
Consolidation
Convention on the Recognition and Enforcement of Foreign Arbitral Awards (“N.Y. Convention”)
Cooperation Clause
Costs
Cover note/Binder/Placement slip
Credit for reinsurance
Custom and practice
Cut-through
Declaratory judgment expenses
Direct action
Discovery
Discovery: common interest
Discovery: in camera review
Discovery: privilege, attorney-client or work product
Discovery: waiver of right
Duty to defend
Duty to disclose
Equitas
Errors and omissions (E&O)
Estoppel
Evidence
Excess of policy limits (XPL)
Exclusion
Executory contract
Expert
Extra-contractual obligation (ECO)
Federal Arbitration Act (FAA)
Fiduciary duty
Follow the form or Following form
Follow the fortunes/Follow the settlements
Follow the fortunes/Follow the settlements: implied
Follow the Fortunes/Settlements Clause
Foreign Sovereign Immunities Act (FSIA)
Forum selection clause
Forum/Venue
Fraud
Fraud in the inducement
Fronting
Good faith
Governing law
Guaranty
Guaranty fund
Hold harmless
Honorable engagement
In camera review (see “Discovery: in camera review”)
Indemnity v. liability
Injunction

(Preset Keywords continued on next page)
Case Law - Preset Keywords

Insolvency
Insolvency: ancillary receiver
Insolvency: arbitration in (see “Arbitration: in
insolvency”)
Insolvency: claims estimation and acceleration
Insolvency: clause
Insolvency: preferences
Insolvency: priority
Insolvency: receiver’s authority
Insolvency: reinsurer’s liability
Intent
Intermediary
Judicial enforcement
Jurisdiction of the court
Letter of credit
Liquidation (see “Insolvency” keywords)
Lloyd’s issues
Lloyd’s Names litigation
Loss adjustment expense (LAE)
Managing general agent (MGA)
Materiality
McCarran-Ferguson Act
Modification
Non-concurrent clauses
Non-party
Non-signatory
Notice
Novation
Occurrence
Offer/acceptance/consideration
Offset (see “Setoff”)
Piercing the corporate veil
Placement slip (see “Cover note/Binder/Placement
slip”)
Pool
Pool manager
Pre-answer security
Pre-contract disclosure
Pre-emption
Prejudice
Premiums
Privilege: attorney-client or work product (see
Discovery: Privilege, attorney-client or work product)
Proportional coverage
Punitive damages
Racketeer Influenced and Corrupt Organizations Act
(RICO)

Receivership (see “Insolvency” keywords)
Reformation
Regulatory approval of contract
Rehabilitation (see “Insolvency” keywords)
Releases
Removal
Representations
Res judicata
Rescission
Retention
Right of association
Right of investigation
Salvage
Securities violations
Service of suit
Setoff
Settlements
Standing to sue
Statute of limitations
Stay
Subrogation
Summary judgment
Taxes
Third party right of action
Third-party administrator (TPA)
Transfer
Trusts
Utmost good faith
Venue (see “Forum/venue”)
Void/void ab initio
Warranty
SELECT CLAUSE TYPE

1. Choose “Contract Clause Search” from the menu at the left of the screen.

2. Click on “Select Clause Type” to bring up preset list.

3. Choose one or more clause types.

4. Click “Perform Search.”
Read and compare clauses, use the check boxes to display or print cases with those clauses.

The results on the screen will be examples of different wordings of the type of clause(s) you chose. For example, if you chose the clause type “Cut-Through” you will see examples of differently-worded cut-through clauses.

‘Display Checked’ or ‘Print Checked’ to see all cases selected.
CASE SUMMARY
At the end of the court discussion is a case summary that assesses the fact pattern and holding of the case.

CLAUSE TITLE
Each distinct wording has been assigned a "Clause Title," for example "Arbitration 01," "Arbitration 02," etc.

CLAUSE LANGUAGE
For each "Clause Title," you will see an example of the clause wording, excerpted from the case.

COURT DISCUSSION
Excerpted directly from the case.

CASE SUMMARY
At the end of the court discussion is a case summary that assesses the fact pattern and holding of the case.
Reinsurance Case Law and Contract Clause Database

FREE RAA MEMBER BENEFIT

RAA Members: You’ll find the Database at www.reinsurance.org. Click on the “Legal Research/Resources” tools menu, and choose “Reinsurance Case Law and Contract Clause Database.” Your login/password will give you access to both the Compendium of Reinsurance Laws and Regulations and the Reinsurance Case Law and Contract Clause Database.

NON-MEMBER SUBSCRIPTION

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