

Captive Insurance and Alternative Risk Programs

Kerr Russell handles all aspects of captive insurance and alternative risk programs. For over 30 years, we have formed and advised countless captive insurance companies and other alternative risk entities, including pure captives, group captives, agency and association owned captives, IRC §831(b) small captives, rent-a-captives, cell captives, series captives, risk retention groups, risk purchasing groups and other pooling arrangements.

And, unlike the many law firms whose captive work has only recently arising in connection with the establishment of a particular state's/domicile's captive insurance legislation, our captive practice extends beyond Michigan to include all of the major US and offshore domiciles.

Several members of our captive insurance and alternative risk programs practice are Certified Public Accountants as well as attorneys, ensuring that the complicated taxation and accounting issues for our captive clients are properly handled. Our attorneys frequently lecture, publish articles and are quoted nationally and internationally on the latest issues and topics affecting the captive insurance industry.

Our captive clients compete in an array of industries including health care, assisted living, long-term care and nursing home, construction, manufacturing, food service, franchising, trucking/transportation and logistics, association, staffing and PEO, benefits, services, high-tech, oil and gas and other industries. We assist our captive clients through the design and establishment of captive insurance and other alternative risk programs, utilizing a risk management perspective that is bolstered by our substantial experience within the insurance industry, our knowledge of the regulatory compliance arena, securities, corporate governance and contractual expertise, and our recognized strength in local, state, federal and international taxation. Additionally, we assist clients who may have a captive insurance program in place, or who may participate in a group program, to determine whether enhancements may be made to reduce risk and optimize business goals.

We are also seasoned in handling insurance mergers and acquisitions, commutations, novations and redomestications, as well as various alternative risk financing and collateral vehicles such as letters of credit and insurance trusts (so-called "114 Trusts"). Our professionals regularly draft and review insurance policies and reinsurance agreements. We are also adept at counseling our clients in connection with insurance receiverships and liquidations.