

2025 Key Insurance Developments and Trends for 2026

Insights for Insurers Alert | 2 min read

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In 2025, Hinshaw's global insurance services team authored several resources on key developments and decisions that impacted the US insurance industry. From our timely commentary just published in Mealey's to the third edition of our Duty to Defend 50-state survey and whitepapers covering a variety of areas that impact the industry, our team has you covered.

Featured Insights

2025 Key Insurance Decisions, Trends, & Developments & A Look Ahead To 2026

The “[2025 Key Insurance Decisions, Trends, & Developments & A Look Ahead To 2026](#)” commentary, written by Scott Seaman, Pedro Hernandez, and Jordan Evans, examines key trends, developments, and decisions impacting the US insurance industry in 2025 and forecasts potential trends and developments for “America 250” in 2026.

These include social inflation, changes in public policy from the Biden Administration to the second Trump Administration with respect to ESG, DEI, artificial intelligence, and cybersecurity.

They also look at key decisions and developments relating to cybersecurity, privacy, PFAS, COVID-19 business interruption, drugs, guns, insurrections, construction defects, D&O and securities, health, silica, asbestos, environmental, weather-related claims, bad-faith, and extra-contractual liability.

The Duty to Defend – A Fifty-State Survey: Third Edition

[The Duty to Defend – A Fifty-State Survey: Third Edition](#) begins with an introduction that examines the duty to defend.

It contains 50 chapters—one for each US state—addressing 11 of the most critical issues regarding the duty to defend in a question-and-answer format, including:

- the standard for determining whether an insurer has a duty to defend
- consideration of extrinsic evidence
- what constitutes a “suit”
- when the duty to defend begins and ends
- mixed claims
- policyholder’s right to independent counsel
- insurers’ rights of recoupment
- pre-tender costs
- consequences of a breach of the duty to defend

Additional Hinshaw Insurance Law Resources

- [*PFAS/Forever Chemical Claims and Insurance Coverage Issues* \(2025 Updated Primer\)](#)
- [*D&O Liability and Coverage: 2025 Trends, Developments, and Decisions*](#)
- [*The Ultimate Social Inflation Survival Guide*](#)
- [*Part One: What Insurers and Policyholders Should Know About ESG Under Trump 2.0*](#)
- [*Part Two: What Insurers and Policyholders Should Know About ESG Under Trump 2.0*](#)
- [*Allocation of Losses in Complex Insurance Coverage Claims* \(Two-Volume 13th Edition of Thomson Reuters Insurance Law Treatise\)](#)

Related People

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Related Capabilities

Bad Faith, Market Conduct & Extra-Contractual Liability

Complex Tort & General Casualty

Construction

Data Privacy, AI & Cybersecurity

Energy & Environment

Environmental

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Insurance

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Insurance Transactions

Life, Health, Disability & ERISA

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