

***Business Insurance* Interviews Scott Seaman on America's Evolution of Insurance Litigation**

Featured in the Publication's "Insuring America" Documentary Series

In The News | 1 min read

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Scott Seaman, co-author of Hinshaw's recently published [America 250 book](#) and co-chair of Hinshaw's Global Insurance Services Practice Group, was interviewed in the third of five episodes of the *Business Insurance* "Insuring America" video series, which highlights the impact and development of insurance law in the past 250 years across the United States.

Evolution of Insurance Coverage Litigation in America

In the episode, Scott examines the evolution of insurance coverage litigation in America, noting that such disputes were fairly uncommon before the 1970s. The "legal underpinnings" for modern liability were laid in the 1960s and 1970s with the development of strict liability doctrines, expanded tort laws, and the creation of the US Environmental Protection Agency (EPA) and expansion of environmental regulations.

Invention of Long-Tail Claims

A pivotal shift came with the arrival of the "long-tail claim." While traditional insurance claims were "limited in time, place, and space," long-tail claims involve continuing or progressive injuries and damages sometimes spanning decades, such as environmental exposures, asbestos injuries, and other prolonged harms.

Scott explains how the explosion of environmental and asbestos losses in the late 1970s and 1980s fundamentally transformed the insurance landscape and led to insurer insolvencies that challenged insurance regulators and complex, high-stakes insurance coverage claims and litigation.

Watch the *Business Insurance* Episode



**Watch the full
episode**

Business Insurance, in the first three episodes, interviewed such luminaries in the insurance world as Hanna Farber (Assoc. Professor Columbia University), Tom Baker (Professor of Law University of Pennsylvania), Jaun Luis Ortega (EVP Chubb Group), Malcolm Roberts (CEO FM), Sean Briscoe (VP Loss Control Pennsylvania Manufacturers Mutual), Rich Ives (SVP Travelers), Price V. Fishback (Professor of Economics Arizona State), Marc Orloff (President Liberty Mutual NA), J. Hyatt Brown (Chairman Brown & Brown), Michelle Sartain (President Marsh Risk US and Canada), J. Patrick Gallagher, Jr. (Chairman & CEO Arthur J. Gallagher & Co.), Chris Mandel (former RIMS President), Brad Wood (Retired Risk Manager Marriott International), and Scott Seaman.

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