

Shari L. Klevens

Partner



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Washington, DC
D +1 202 496 7612

Atlanta
D +1 404 527 8393

shari.klevens@dentons.com

Overview

Shari Klevens (she/her/hers) is an experienced lead trial lawyer who handles cases in state and federal courts across the country. She has several decades of experience successfully litigating matters involving allegations of breach of professional and fiduciary duties, insurance coverage and bad faith, breach of contract, business tort disputes, conspiracy, concealment, misrepresentation, and fraud, among many others. She is a lawyer to whom clients turn when they need an aggressive but practical approach to difficult matters, and her clients rely on her to create and implement a successful trial and pre-trial strategy, whether they are bringing, defending or avoiding litigation. Shari's clients include some of the most prestigious and established law firms, attorneys, insurance companies, and businesses in the country.

Shari is the co-chair of the Dentons global Insurance sector team. She is also a member of the Firm's leadership team, serving on its US board of directors.

Insurance

Shari represents and counsels insurance companies in coverage disputes and litigates high-exposure insurance bad faith cases.

Shari also regularly represents insurance companies in complex insurance coverage actions in state and federal courts across the country and also in confidential and unlitigated matters involving high stakes insurance issues. For example, Shari has handled a number of very high exposure coverage and bad faith insurance lawsuits, including a case in 2014 arising from a US\$284 million jury trial verdict, which Shari and her team successfully resolved on behalf of the insurance company. She also has extensive experience defending insurance companies in litigation matters involving "set ups," and regularly counsels her insurance company clients on how to navigate complicated coverage issues and avoid claims for bad faith. Much of Shari's insurance related experience involves professional liability policies for attorneys, accountants, engineers, financial planners, insurance brokers, real estate professionals, travels agents, and others, and Shari is considered one of the preeminent experts on insurance issues arising out of professional liability policies. Shari serves on the *Law360* Insurance Editorial Advisory Board.

Professional and Fiduciary Liability

Shari also has deep experience handling matters regarding claims against professionals and other individuals for breach of fiduciary and other professional duties. Moreover, Shari represents lawyers and law firms in the defense of legal malpractice claims and advises and counsels lawyers concerning allegations of malpractice, ethical violations and breaches of duty.

In addition, Shari counsels lawyers and law firms on an array of ethical and business issues arising from practice management, evaluation and pursuit of merger opportunities, law firm acquisitions and law firm restructuring.

Lawyers and law firms often engage Shari to review and provide advice on their internal systems and agreements (such as partnership agreements, engagement letters and internal policies) for legal sufficiency, preservation of privilege, compliance with ethical obligations and usefulness in claim prevention. Shari also provides advice regarding lawyers transitioning from law partnerships, including providing guidance regarding contractual and ethical obligations to firm partnerships and to clients, crafting transition plans and identifying potential ethical and legal issues. In addition, Shari handles other professional negligence claims, such as those involving accountants, engineers, financial planners, insurance brokers, real estate professionals, trustees, travel agents and others.

In light of her broad experience in professional negligence claims, Shari is a frequent writer and lecturer on issues related to legal malpractice and ethics and is regularly interviewed and quoted by the media on these issues. She co-authored *Georgia Legal Malpractice Law and California Legal Malpractice Law*, which address the intricacies and nuances of legal malpractice law and issues that confront the new millennium lawyer. She also co-authored *The Lawyer's Handbook: Ethics Compliance and Claim Avoidance*, an easy-to-use desk reference offering practical solutions to real problems in the modern law practice for attorneys throughout the United States. From 2013-2016, Shari was a member of the American Bar Association's Standing Committee on Lawyer's Professional Liability, serving as Chair of that Standing Committee from 2016-2019, during which time she chaired the Standing Committee's National Legal Malpractice Conference held in the spring and fall of each year.

Community Service

Shari is highly committed to pro bono and public service. She has represented clients in a variety of pro bono matters, including domestic and housing issues. Shari was featured on the cover of Arlington Magazine's November/December 2012 issue for her extraordinary commitment to charitable causes and was profiled in the article "Why We Give, Inside the Hearts and Minds of Local Altruists."

Shari is active in Dentons' women's initiative, has served as a mentor and sponsor to many attorneys, and formerly served as chair of the Dentons Women's Steering Committee.

Recognition

Honors and Awards

- *Best Lawyers in America*
 - Litigation - Insurance (2020-2022)
 - Insurance Law (2020-2022)
- Recognized as a 2020 MCCA Rainmaker, Minority Corporate Counsel Association
- Honored by the National Queer Asian Pacific Islander Alliance (NQAPIA) on its 2020 Legal Honor Roll of Pro Bono Champions for pro bono services provided to the group
- Selected by her peers for inclusion in the 26th Edition of *The Best Lawyers in America* for her work in Insurance Litigation for 2020
- 2015 recipient of the Corporate LiveWire Global Award in the area of Professional Negligence
- 2013 Recipient of Outstanding Leader Award from the Girl Council for the Nation's Capital.

- Recipient (alongside several colleagues) of the *Daily Report's* Insurance Litigation Department of the Year for 2012
- Received McKenna Long & Aldridge's annual Pro Bono and Community Service Award for 2008

In the Media

- "Attorneys' Online Comments Can Lead to Positional Conflicts" (Quoted), *Litigation News*, March 2, 2017
- "Firm Accuses Ex-Partners of Stealing Clients, Trade Secrets" (quoted), *The Recorder*, May 9, 2016
- "4 Tips For Coverage Counsel To Avoid Malpractice Claims" (quoted), *Law360*, November 12, 2015
- "Wage Lawsuit Against Skadden Arps Can Proceed, Appeals Court Says" (quoted), *The Wall Street Journal*, July 23, 2015
- "More Law Firms To Face Suits Over Sensitive Client Data" (quoted), *Law360*, March 5, 2015
- "North Korea's Sony Hack Seen as Cyber Security Game-Changer" (quoted), *Business Insurance*, December 21, 2014
- "5 Questions To Ask About Your Legal Malpractice Insurance" (quoted), *Law360*, November 21, 2014
- "3 Ways To Avoid Conflict Of Interest Land Mines" (quoted), *Law360*, September 18, 2014
- "Bingham Sanctions Case Exposes Dangers of Privilege Tactics" (quoted), *Law360*, June 10, 2014

Insights

- Shari is the co-author of articles containing practice tips for attorneys that appear bi-weekly in the Daily Report (Georgia), Daily Journal (California), Texas Lawyer, and the Connecticut Law Tribune, and weekly in the Recorder (California). These articles also regularly appear in the National Law Journal and other legal publications around the country. Some of those articles can be found here.
- Co-author, "What the coronavirus means for insurers and coverage," Dentons client alert, February 28, 2020
- Co-author, "Controlling Your Brand in the Age of Social Media," *IP Watchdog*, Jan. 3, 2019
- Co-author, "How to Get the Most Out of Mediation," *The Woman Advocate*, Fall 2017
- Co-author, "Don't Fall in Love at First Sight: A Guide to Selecting a Brand Name," *Brand Quarterly*, Nov. 1, 2017
- Co-author, "Engagement Letters: Four Key Terms to Reduce Risk," *The Woman Advocate*, Mar. 2, 2017
- Co-author, "Effective Calendaring and Email Systems Prevent Claims," *45 The Colorado Lawyer 63*, May 2016
- Co-author, "Casual Advice Can Be Binding," *45 The Colorado Lawyer 79*, March 2016
- "Stoning the Giant: Dealing with Bullies in Depositions," Section of Litigation Woman Advocate, *American Bar Association*, February 23, 2016
- Co-author, "Five Mistakes to Avoid When Facing a Legal Malpractice Claim," *44 The Colorado Lawyer 79*, December 2015
- Co-author, "Who Can Sue an Attorney, and How to Stop Them," *Daily Report*, November 2, 2015
- Co-author, "Reduce the Risk of Malpractice Claims," *44 The Colorado Lawyer 99*, November 2015
- Co-author, "Is Your Law Firm Adequately Securing Its Data? 5 Areas to Help Protect Against Unauthorized

Disclosures," *Bloomberg BNA's Corporate Counsel Weekly Newsletter*, 30 CCW 21, June 3, 2015

- Co-author, "Collecting Fees: Making Life Easier," *44 The Colorado Lawyer* 77, June 2015
- Co-author, "Maintaining Ethical Integrity as a Creative Litigator," *Texas Lawyer*, May 21, 2015
- Co-author, "The Legal Malpractice Insurance Application: Don't Risk Losing Coverage," *Texas Lawyer*, May 11, 2015
- Co-author, "Alternative Fees May Ease Billing Tensions," *44 The Colorado Lawyer* 75, May 2015
- Co-author, "Legal Malpractice Insurance—What Coverage is Best for You?," *Texas Lawyer*, April 21, 2015
- Co-author, "Attorney—Mediators Need to Check for Conflicts" (co-authored with Lino Lipinsky and Randy Evans), *44 The Colorado Lawyer* 73, March 2015
- Co-author, "Effective Conflict Waivers," *44 The Colorado Lawyer* 85, February 2015
- Co-author, "Risk Management for New Associates: Tips to Avoid Legal Malpractice Pitfalls," *The Woman Advocate*, American Bar Association Section of Litigation, December 16, 2014
- Co-author, "Malpractice Risks Unique to Trusts and Estates Attorneys," *Estate Planning*, December 2014
- Co-author, "Mistakes Happen — How to Handle the Blunder," *The National Law Journal*, November 17, 2014
- Co-author, "Malpractice Claims: A Series on Practical Ways to Reduce the Risk," *43 The Colorado Lawyer* 95, November 2014
- Co-author, "Screen Vendors to Prevent Law Firm Cyberattacks," *Law Technology News*, October 24, 2014
- Co-author, "4 Things Every Law Firm Should Do Upon A Cyberbreach,," *Law360*, June 27, 2014
- Co-author, "Web of Trust: Five Steps to Protect Your Law Firm From Cyber Attacks,," *Managing Partner*, May 22, 2014
- Co-author, "Dilemmas Remain For Colo. Attorneys After Amendment 64" (co-authored with Lino Lipinsky and Mason Smith), *Law360*, March 18, 2014
- Co-author, "Risk Management Issues in Pro Bono Representations," , Section of Litigation Woman Advocate, *American Bar Association*, December 17, 2013
- Co-author, "Bringing Claims for Unpaid Legal Fees in N.J.," *New Jersey Law Journal*, October 7, 2013
- Co-author, "Navigating Conflicts When Serving 3rd-Party Subpoenas," *Law360*, September 16, 2013
- Co-author, "Disgorged profits: Partnership terms to manage the impact of Jewel v Boxer," *Managing Partner*, August 23, 2013
- Co-author, "Bankruptcy, Judicial Estoppel, and Bad Faith Claims: An Opportunity for Insurers," *PLUS Journal* (Volume XXVI, Number 7), July 17, 2013
- "Supreme Court of Georgia rules on in-house attorney-client privilege matter," *Dentons Client Alert*, July 11, 2013
- "Massachusetts Supreme Court rules on attorney-client privilege for intra-law firm communications," *MLA Advisory*, July 10, 2013
- Co-author, "Take 4 Essential Steps in Changing Law Firms," *Daily Report*, May 21, 2013; Republished in *The National Law Journal*, May 23, 2013
- Co-author, "Georgia and Massachusetts Supreme Courts consider attorney-client privilege for intra-law firm communications," *Client Brief*, February 29, 2013

- "Why we give" (profiling Shari Klevens), *Arlington Magazine*, November/December 2012
- Co-author, "Extracontractual Liability Arising from Professionals Retained by Insurers: First-Party Claims," *The Brief: Tort Trial & Insurance Practice Section*, Fall 2012
- Co-author, "Extracontractual Liability Arising from Professionals Retained by Insurers: First-Party claims," *The Brief – Tort Trial & Insurance Practice Section*, Spring 2012, Vol. 41, No. 3, page 38
- Co-author, "Control Legal Bills with New Fee Arrangements," *Atlanta Business Chronicle*, March 9, 2012
- Co-author, "LLP Liability: Making Sure You're Protected Part V," *Scripts*, Winter 2012
- Co-author, "Year-End Fee Collections: How to Make Life Easier," *Texas Lawyer*, December 26, 2011
- Co-author, "Review Your Legal Malpractice Policy," *Fulton County Daily Report*, July 5, 2011
- Co-author, "What To Do When Mistakes Happen," *Fulton County Daily Report*, June 20, 2011
- Co-author, "LLP Liability: Making Sure You're Protected Part III," *Scripts*, Summer 2011
- Co-author, "LLP Liability: Making Sure You're Protected Part II," *Scripts*, Spring 2011
- Co-author, "Failed Banks And Attorney Liability: A New Trend," *Law360*, May 10, 2011
- Co-author, "Summary Judgment in Virginia: One Solution to the Limitations of Rule 3:20 (A Response to the Fall 2010 Litigation News)," *Litigation News*, Winter/Spring 2011
- Co-author, "LLP Liability in Virginia: Making Sure You're Protected," *Virginia Lawyers Weekly*, March 9th, 2011
- Co-author, "LLP Liability: Making Sure You're Protected," *Scripts*, Winter 2011
- Co-author, "Use of Judicial Notice and Collateral Estoppel in Summary Judgment: The Legal Theory and Practical Applications - Part Two," *Fairfax Bar Journal*, December 2010/January 2011

Activities and Affiliations

Community Involvement and Pro Bono

- Capital Pro Bono Honor Roll, 2012

Presentations

- Speaker, "The Rising Standard for Lawyers in the Digital Age," Atlanta Bar Association Litigation Section, March 12, 2021
- Presenter, "Coming in From the Bullpen - How to Reduce the Risks When Defense Counsel is Replaced," ABA National Legal Malpractice Conference, April 4, 2019
- Presenter, "Mandatory Legal Malpractice Insurance Does Not Mean Lawyers are Fully Covered: How Uninsured are We?," Georgia ICLE Professionalism Ethics and Malpractice Seminar, March 22, 2019
- Presenter, "Tips for Reducing Risks When Acting as Replacement Counsel," General Counsel Roundtable, Dallas, Texas, October 22, 2018
- Presenter, "Tips for Reducing Risks When Acting as Replacement Counsel," General Counsel Roundtable, Wilmington, Delaware, October 15, 2018
- Moderator, "Associate Exposures: Doing What You're Told Creates Risk," *State Bar of Georgia Institute of Continuing Legal Education*, March 2018

- Speaker, "General session: The importance of a personal brand and how to build it," *Courageous Counsel Leadership Institute*, January 23, 2018
- Presenter, "Playing Well with Others: The Necessity of Professionalism Among Lawyers," *PLI*, January 17, 2018
- Presenter, "Recent Developments in Legal Malpractice Law," Recent Developments in Georgia Law, Georgia ICLE, November 10, 2017
- Speaker, "10 Tips for Reducing Your Risk of Receiving a Malpractice Claim," Atlanta Bar Litigation Section, December 11, 2015
- Speaker, "2015 Recent Developments in Ethics and Malpractice," Georgia State Bar, December 10, 2015
- Presenter, "Mistakes Happen: How to Handle the Blunder," National Constitution Center Webinar, June 10, 2015
- Presenter, "7 Things Every In-House Counsel Should Know," Daily Report In-House Counsel CLE Seminar, April 29, 2015
- Presenter, "Breaking Bad Technology Habits: Email, Social Media and Document Management," Practising Law Institute Webinar, April 16, 2015
- Presenter, "Malpractice Risks Unique to Trusts and Estates Attorneys," Alaska Bar Association Estate Planning and Probate Section, March 10, 2015
- Presenter, "Malpractice Avoidance, Ethics and Professionalism from a Different Perspective," Georgia Public Broadcast TV, March 6, 2015
- Presenter, "Ethics and Malpractice," ICLE Update on Georgia Law, February 1, 2015
- Presenter, "Recent Developments in Ethics and Malpractice," Georgia State Bar, December 11, 2014
- Moderator, "Evolving Standards of Care for Protecting Client Confidences in the Information Age," ABA Fall 2014 National Legal Malpractice Conference, September 11, 2014
- Presenter, "Best Practices in Risk Management and Loss Prevention," George Washington University, June 7, 2014
- Speaker, "Ethical Considerations for Litigators in the Age of Technology," The Recorder Litigator Summit, May 28, 2014
- Speaker, "Update on Georgia Law: Ethics," ICLE, January 27, 2014
- Speaker, "Recent Developments in Ethics and Malpractice," Georgia Public Broadcast TV, November 15, 2013
- Speaker, "10 Things Every Lawyer Can Do to Reduce the Risk of a Malpractice Claim," CLE Institute of Continuing Legal Education in Georgia, March 14, 2013
- Speaker, "Avoiding Conflicts of Interest: Best Practices," CLE Law Journal Newsletters, March 5, 2013
- Speaker, "Update on Georgia Law in Ethics and Malpractice," ICLE Avon, Colorado, January 27, 2013
- Speaker, "Recent Developments in Ethics and Malpractice," Georgia Public Broadcast TV, November 16, 2012
- Speaker, "Professionalism, Ethics and Malpractice," CLE presentation, Kennesaw State University, September 14, 2012
- Speaker, "'One Law For All: The Story of Atlanta Legal Aid' and Who is Getting Sued For Legal Malpractice and Why? 10 Things Every Lawyer Can Do to Reduce the Risk of a Malpractice Claim," Professionalism and

Ethics CLE Seminar (presented with Randy Evans), March 22, 2012, Atlanta, GA

- Speaker, "Legal Ethics and Malpractice," Georgia Law of Torts Seminar, Georgia ICLE (presented with Randy Evans), March 22, 2012
- Speaker, "Ethics and Malpractice Law for Georgia Lawyers," Professionalism and Ethics CLE Seminar (presented with Randy Evans) March 11, 2011, Atlanta, GA
- "There's a New Claim in Town: Insurer Liability for Vendor/Consultant Conduct," ABA Insurance Coverage Litigation Committee CLE Seminar, March 3–5, 2011, Tucson, AZ

Memberships

- District of Columbia Bar Association
- Virginia Bar Association
- Fellow, Counsel on Litigation Management
- ABA Litigation Section Subcommittees for Intellectual Property Litigation
- ABA Litigation Section Subcommittees for Professional Liability Litigation
- Chair, ABA Standing Committee on Lawyers' Professional Liability

Areas of focus

Practices

- Litigation and Dispute Resolution
- Intellectual Property and Technology
- Copyright
- Trademarks
- Commercial Litigation
- White Collar and Government Investigations
- Trade Secrets Litigation
- Professional Liability Litigation
- Patent Litigation

Industry sectors

- Insurance
- Law Firms
- Professional Liability

Education

- George Washington University School of Law, JD, with honors

- University of Maryland, BS, *cum laude*
- University of Maryland, BA, *cum laude*

Admissions and qualifications

- District of Columbia
- Georgia
- Virginia
- Supreme Court of Georgia
- Supreme Court of the United States
- US Court of Appeals for the Federal Circuit
- US Court of Appeals for the Fourth Circuit
- US District Court for the District of Columbia
- US District Court for the District of Maryland
- US District Court for the Eastern District of Virginia
- US District Court for the Northern District of Georgia