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# Brian Bassett and Kyle Dickinson Discuss Illinois Courts Conflating Insurers and Defense Counsel in Law360 Article

Related Attorneys: Brian C. Bassett

*Law360* has published an article by TLSS attorneys Brian Bassett and Kyle Dickinson on how Illinois courts have begun to chip away at the separation between an insurer and defense counsel in instances where that counsel is chosen by the insurer, not the insured.

In the piece, Bassett and Dickinson discuss what is commonly referred to as the tripartite relationship, alluding to the relationship between an insurer, its insured, and assigned defense counsel. While not always free from conflict, these three entities usually work well together when responding to a claim made against the insured.

When getting ready to defend itself in court, the insured is often able to select its own defense counsel. However, in two recent cases where the insurer was the one making the selection, Illinois courts increasingly are presuming that defense counsel is acting as an "agent" of the insurer. This presumption can cause a myriad of problems for the three independent entities that make up the tripartite relationship.

The full article (subscription required) can be found at: <https://www.law360.com/articles/1096984/ill-courts-should-not-conflate-insurers-and-defense-counsel>