

Protecting Your Mission:

Insurance and Risk
Management for
Nonprofits



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Mission of Pro Bono Partnership of Atlanta

To provide free legal assistance to community-based nonprofits that serve low-income or disadvantaged individuals.

We match eligible organizations with volunteer lawyers from the leading corporations and law firms in Atlanta who can assist nonprofits with their business law matters.

PBPA Learning Center for Georgia Nonprofits

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Client Criteria

In order to be a client of Pro Bono Partnership of Atlanta, an organization must:

- Be a 501(c)(3) nonprofit.
- Be located in or serve the greater Atlanta area.
- Serve low-income or disadvantaged individuals.
- Be unable to afford legal services.
- Employ at least one paid staff person.

Visit our website at www.pbpatl.org to apply.

Legal Information

This webinar presents general guidelines for Georgia nonprofit organizations and should not be construed as legal advice. Always consult an attorney to address your particular situation.

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Agenda

- General Risk Management Principles
- The Insurance Industry and Life Cycle
- Types of Insurance Nonprofits May Wish to Consider
- Amount of Insurance
- Questions?

General Risk Management Principles

Risk Management

- “A discipline for dealing with the possibility that some future event will cause harm. It provides strategies, techniques, and an approach to recognizing and confronting any threat faced by an organization in fulfilling its mission.”
- *Alliance for Nonprofit Management*
- Nonprofits should regularly take stock of all the risks they face, and how to adequately manage them.

Risk Management

- Insurance is one component of an organization's broader risk management practices.
- Other Examples:
 - Maintaining robust internal policies and procedures on matters like handling donations, conflicts of interest, volunteer safety, working with vulnerable populations like children or the elderly, cybersecurity, etc.
 - Providing regular trainings for officers and volunteers.

The Insurance Industry and Life Cycle

Who's Who?

- Insurance Carriers – the company who issues the insurance policy, receives your premium, pays your losses
- Agents or brokers – help you to procure the insurance.
- These companies often specialize. You can try to find ones that specialize, or at least have lots of experience, in working with nonprofits so they are attuned to the unique issues that nonprofit policyholders present.

How to Get the Insurance You Need

- Identifying risk needs
- Applying for insurance
- Renewals

The Claims Process

- Providing timely notice is important
- Adjustment process
- Agent or broker may be able to provide guidance and assistance in preparing/submitting claim
- Third-party vs. first-party
- Payment/Settlement

Types of Insurance Non-Profits May Wish to Consider

Commercial General Liability

- What it does: Provides coverage for bodily injury or property damage caused by the alleged negligence of your organization.
- Why you may need it: You own or lease premises at which somebody may slip and fall, you host events or fundraisers at which people may get injured, you manufacture products which may be defective, etc.

Directors & Officers

- What it does: Protects board members from suits alleging mismanagement, breach of fiduciary duties to the organization, etc.
- Why you may need it: Vendors, donors, government regulators, etc., all may pose a threat of claims or litigation. D&O insurance helps to attract talent to serve on nonprofit boards by easing their concerns about personal liability for work they do for the organization.

Worker's Compensation

- What it does: Provides coverage for work-related illness and injury suffered by employees
- Why you may need it: State laws generally require employers, to carry worker's compensation insurance. Check your applicable laws to determine what requirements apply to nonprofit organizations.

Employment Practices Liability

- What it does: protects organizations against claims by workers that their legal rights have been violated
- Why you may need it: You have employees who may bring claims for wrongful termination, discrimination, harassment, retaliation, etc.

Commercial Property

- What it does: Generally covers physical damage to your own property (as opposed to damage you cause to the property of others). Often arising from fires, natural disasters, etc. May include additional coverages like business interruption and related coverages.
- Why you may need it: You own property (office space, manufacturing facilities, warehouses/ industrial space, etc.)

Commercial Auto

- What it does: Provides liability coverage similar to personal car insurance, but for instances when driving is being done for business purpose which may be excluded by personal auto
- Why you may need it: You own a fleet of vehicles to conduct your operations (making deliveries, driving people around, etc.).

Professional Liability

- What it does: Provides coverage for malpractice/the negligent provision of professional services such as legal, medical, architectural, engineering, accounting, etc.
- Why you may need it: You provide professional services (e.g., pro bono legal clinics, nonprofit healthcare organizations, etc.)

Cyber

- What it does: Varies tremendously. Third-party liability coverage for costs associated with litigation, regulatory compliance, crisis management expenses; and first-party coverage for losses arising out of theft/fraud, data loss, business interruption, etc.
- Why you may need it: You conduct e-commerce, including processing donations electronically, you store and transfer personally identifiable information that is vulnerable to a data breach, you store other valuable information like donor rolls.

How Much Insurance?

Amount of Coverage

- Limits
 - Work with a broker or agent to go over your potential exposures.
 - How big is your operation? How many employees? How many volunteers? How many locations do you operate from?
- Umbrella/Excess Coverage
 - Primary insurance policy limits can be supplemented through excess or umbrella coverages, too.

Questions?

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As a nonprofit ourselves, PBPA relies on donors to continue providing free legal assistance to organizations like yours. If you're able to give, please consider donating to help us keep serving Georgia's nonprofits.