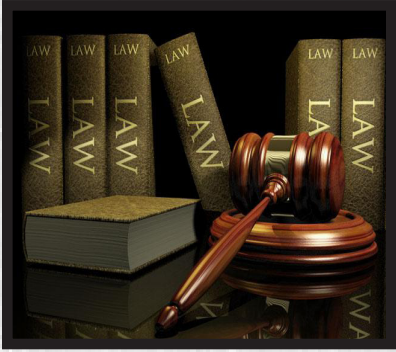


AGRIP PUBLIC ENTITY TORT STATUTES & CASE LAW REVIEW

INTRODUCTION

The Association of Governmental Risk Pools (**AGRiP**) is proud to announce a new service for members and others that is vital to underwriting public entity tort risks or in adjusting/litigating claims against public entities throughout the United States.



The on-line *AGRiP Public Entity Tort Statutes and Case Law Review* is a comprehensive compilation of relevant statutes and significant case law on public entity torts for each of the 50 states and the District of Columbia. *The Review* is available 24/7, 365 days a year by password access on the AGRiP website.

Annual updates to *The Review*, usually in November, will reflect changes in tort statutes enacted since the last update. Monthly updates to court case listings will reflect new cases that affect the interpretation of the statutes.

HOW IS *The Review* ORGANIZED?

This review includes **statutes and court cases pertinent to the tort liability of the state government and political subdivisions**, as that term is generally defined and recognized. Accordingly, the statutes and cases included are generally applicable to: (i) the state; (ii) local governments (townships, municipalities, parishes/counties, etc.); (iii) schools; (iv) special purpose governments or entities; (v) special districts that are considered governmental entities/political subdivisions; and (vi) instrumentalities of political subdivisions.

In most instances, the **full text of the relevant statutes** are included; excerpts are provided for statutes only tangentially related to tort liability. Where there is a distinct “governmental tort act,” the definitions within that act are included in the compilation. Definitions that are not within a distinct “governmental tort act” are not included.

The Review is organized to facilitate review and comparisons among various jurisdictions. This is accomplished by using a standard template for presenting the statutes and case law. The template is structured to identify if the statutes are applicable to both **Local and State government**, or separately as to **Local** and **State**. Further, all related statutes are then presented under the headings of:

- Sovereign Immunity
- Insurance
- Indemnification
- Damages
- Procedures



Selected case law that may be relevant to these statutory provisions, as identified by our research or with the assistance of local experts, is also summarized in *The Review* under the appropriate headings. The cited case law is not an indicator of new or changed law but, rather, only a means to illustrate the manner in which the relevant tort statute is currently being applied in the respective state.

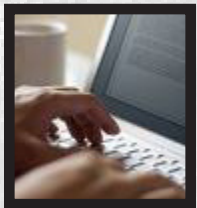
WHO WILL USE *The Review*?

The Review will be an indispensable resource:

- for state associations and pools when considering “tort reform” legislative issues in their jurisdiction;
- for underwriters who need to understand the “tort climate” in a given jurisdiction;
- for claims adjusters and defense counsel especially when dealing with a claim in a jurisdiction where they are not intimately aware of the statutes and case law;
- for brokers, MGA’s and MGU’s who need to develop a quick and comprehensive understanding of the public entity tort environment in any given jurisdiction, and
- for researchers, academicians or curious individuals who want to see how various jurisdictions deal with public entity tort issues.



HOW DO I GAIN ACCESS TO *The Review*?



Any recipient or subscriber (individual or organization) will be required to sign a User License Agreement. The agreement sets forth terms as to how the information may be used. Once you have determined the type of access you desire from the Free and Fee service options below, contact Traci Sedlacek at AGRiP to process your request. Contact her at 405-567-2611 or tsedlacek@agrip.org.

FREE SERVICE on a request basis:

Member pools/sponsoring associations-

Up to three state compilations in any 12 months, sent in electronic format

Partner members-

One state compilation in any 12 months, sent in electronic format

FEE SERVICES - paid in advance

Compilations sent in electronic format

Member pools and/or their sponsoring associations – \$500 for each additional state compilation in any 12 months

Partner members - \$500 for each state compilation in any 12 months

All Others - \$800 for each state compilation in any 12 months

24/7 on-line password access

Single user access to the entire compilation – \$12,000 annually

Member pools/associations – receive a credit against the fee for their current annual dues

QEI Patrons – receive a credit based on 70% of their current QEI Patron fee (Patron fees are \$10,000, \$5,000 and \$3,000)

Multi user access in the same organization – base 24/7 on-line fee, plus \$300 annually for each additional user

AGRiP is not engaged in rendering legal advice and *The Review* is not a substitute for the advice of an attorney.