

What to Do When You Get Sued

2025 New Member Training
February 24, 2025



CORSA – since 1987

- 123 CORSA Members – 73 counties and 50 county-related entities
- Coverages:
 - General Liability
 - Public Officials Liability
 - Auto Liability
 - Buildings
 - Law Enforcement Liability
 - Employment Practices Liability
 - Auto Physical Damage
 - Contents and Equipment
- 2024 Net Position \$57.8M
- Return of Member Equity through Dividends \$2.4M in 2024



CORSA Loss Control Services

CORSA provides several services that reduce litigation risk including:

- HR Helpline
- Award Winning Best Practices Personnel Policy Manual
- Personnel Policy Legal Consulting Service
- HR Toolkit
- Law Enforcement Crisis Hotline
- MILO De-Escalation Training for Law Enforcement and Corrections
- NEW 2025: Virtual Reality Law Enforcement De-Escalation Training for CPT Credit



A suit or claim can be made in several ways

- Served with a Summons and Complaint
- EEOC or OCRC notice – administrative action
- Demand letter from counsel for the claimant
- Employee makes a complaint or report
- Public records request



Next steps:

- Notify your Prosecutor
- Submit to CORSA or other carrier
 - ✓ Review for coverage, appoint defense counsel
- Preserve evidence, communications
- Pre-suit: seek advice from counsel
 - ✓ HR Helpline, Crisis Hotline, Prosecutor, Outside Counsel



Who is being sued?

- The County, the Board of County Commissioners, the Elected Official
- Official vs. Individual Capacity
- Individual capacity is plead to allow plaintiff to avoid immunity and seek punitive damages.
- If the actions of the elected official were within the scope of their position and not willful or wanton, no individual exposure.
- Elected Official's obligations



What are you likely to get sued for ?

- ✓ Employment
- ✓ Law Enforcement
- ✓ Vehicle Accidents
- ✓ Child Protective
- ✓ Providing Services to the Public



Employment Litigation

Type of Claim

- Failure to hire – discrimination
- Harassment in the workplace
- FMLA, ADA
- Discrimination in pay, promotion
- Wrongful termination, retaliation

How to Prevent

- County-wide employment policies that meet all legal requirements.
- Job descriptions
- Training (in-person, online)
- HR Helpline/Prosecutor



Law Enforcement Litigation

Type of Claim

- Excessive force
- Unreasonable search
- Jail medical treatment

How to Prevent

- Law enforcement & jail policies that meet legal requirements
- In-person and online training
- MILO Simulated De-escalation training
- Virtual Reality De-Escalation Training
- Crisis Hotline
- Review jail medical contracts



Providing Services to the Public

Type of Claim

- Discrimination, failure of due process, other civil rights violations in providing services
- CSEA, Courts, JFS

How to Prevent

- Equal access policies and protocol that comply with the ADA and Civil Rights Act



What to Expect During Litigation

- ✓ CORSA – appoint defense counsel
- ✓ Media – consult with defense counsel
- ✓ Attorney-client privilege / executive session
- ✓ Answer, discovery, motion practice, mediation, trial
- ✓ Immunity
- ✓ Qualified Immunity-Effort to Eliminate



Any Questions?



CORSA – County Risk Sharing Authority

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