



Multi-Line Pool Policy Statement on Litigation Procedures

The following is a sample policy:

- 1) Personnel receiving an official instrument from a court of law naming them as parties in any action resulting from their official county duties shall inform their supervisors, risk management, and county managers within 24 hours or on their next workday.
- 2) Periodically, the New Mexico Association of Counties' Risk Management Director will retain different law firms to conduct investigations and/or to provide legal counsel. Personnel should contact NMAC Risk Management (505) 983-2101, or the county attorney, to confirm the authority of an investigator or attorney. All affected personnel will cooperate with NMAC Risk Management, outside counsel, and designated investigators when investigating civil suits.
- 3) If a citizen, non-county attorney, or investigator makes an inquiry concerning civil suits against the county, employees shall refer them to NMAC Risk Management and to the county attorney. Employees shall not discuss the claim with any unauthorized individuals. If an employee believes the inquiry was deceptive, improper, or unethical, the employee shall immediately notify the county attorney and/or the appropriate county official, who shall notify NMAC Risk Management.
- 4) Discussions concerning any civil suit against the county shall be restricted to affected employees, department director, county attorney, county risk manager, NMAC Risk Management, and designated attorneys and investigators.
- 5) If the county receives an Inspection of Public Records Act request, particularly from a plaintiff's attorney, county should contact NMAC Risk Management or the county attorney to review the request. Attorneys and others have used this data gathering method prior to filing a Tort Claim notice.



Passed by the Multi-Line Pool Board of Directors on April 21, 2004.

Revised/passed by unanimous consent of the NMCA Multi-Line Pool Board of Directors on December 16, 2015.

Effective January 1, 2016 this is a stand-alone policy and changes to the policy do not need to be reviewed or approved by the Pool Boards of Directors.

Saved to Administration Drive: [\NMCIA Policies & Bylaws\Former Joint Policies Now Stand Alone Policies](#)