

- *Reliability*—AISLIC is a subsidiary of the worldwide American International Group, one of the nation's largest insurance groups. AIG holds the highest ratings awarded by the principal agencies, including A.M. Best Co. that recognizes the AIG Companies' superior strength.
- *Financial Strength*—With assets in excess of \$50 billion and revenues in excess of \$15 billion, it is the leading U.S. based international insurance organization and the nation's largest underwriter of commercial and industrial coverages.

What are the Insurer's Underwriting Capabilities?

AIG understands the liability faced by both the individuals who work for a public entity and the public entity itself. Their underwriters have expertise in writing policies that offer coverage for public entities of virtually all types and sizes. They have the tools at their disposal to handle your Public Entity Professional Liability needs quickly and efficiently.

AIG has developed a dedicated team of Public Entity Professional Liability specialists whose focus is solely on products that are targeted at meeting the unique exposures existing in the public sector. Coverages are tailored to the local needs of the public entity.

For More Information

Contact Julie Vierra at Arthur J. Gallagher & Co. regarding costs or to ask any questions about coverage at 1-800-333-3231 or 303-889-2614. CTSI is also available to help answer your questions at 303-861-0507, or email us at ctsi@ctsi.org

Serving Colorado's Counties
CTSI
 County Technical Services, Inc.
 800 Grant Street, Suite 400
 Denver, CO 80203



Public Officials Liability for Boards Not Covered Under the Colorado Counties Casualty and Property Pool



Administered by
County Technical Services, Inc.

CTSI proudly offers the Public Officials' Liability Program tailored to address exposures public officials face in their service as members of boards, authorities and commissions not currently covered under CAPP's liability policy.

The Problem

The work force today comprises many people who work in the public sector. As public servants, these employees may be held liable for errors or omissions that they may commit while acting within the scope of their duties. Due to the increasing involvement of the government in daily life, public officials and their employees face increasing responsibility to their constituents.

While a majority of CAPP member counties' professional liability exposures are covered under the CAPP program, certain activities of counties have been excluded from CAPP coverage by a vote of the CAPP membership in 1998. These excluded activities consist primarily of airports, hospitals, transportation services regulated by the Colorado Public Utilities Commission, soil conservation districts, cottage industries, and associations of county officers or employees.

The CAPP Board of Directors, with support from the CAPP membership, determined that these types of activities that are not common among the entire pool membership require separate coverage to specifically address the exposures created by these activities. County involvement in these activities necessitates separate Public Officials Liability coverage since CAPP does not provide liability coverage to these entities or their governing boards.

The CTSI Solution

As administrator of CAPP and provider of risk management services to its members, CTSI, through its broker Marsh USA, Inc., has successfully developed a relationship with an insurer that has products available for individual counties and is ready to assist counties cover exposures arising from Public Officials Liability.

Who is Insured?

A separate Public Officials Liability policy can be provided for any of the activities described above.

Coverage is provided for:

- the county,
- authorities,
- special boards or commissions,
- lawfully appointed Public Officials of the entity,
- members of commissions, boards or other units operating under the jurisdiction of the public entity,
- employees of the public entity.

What is Covered?

The policy will pay on behalf of the Insured all sums that the Insured shall become legally obligated to pay as damages resulting from any claims first made against the Insured during the policy period. The claim must be the result of a Wrongful Act of the Insured or of any person for whose actions the Insured is legally responsible, and must be reported in writing to the Insurer during the policy period. It must also be the result of performance or failure to perform duties of the public entity.

Wrongful Act means any actual or alleged error or misstatement, misleading statement, act or omission, neglect or breach of duty, including misfeasance, malfeasance and nonfeasance. Examples of covered acts and coverage highlights include:

- mismanagement or improper administration of funds, grants or budgets,
- improper zoning approvals or denials,
- failure to protect the public trust, including failure to properly insure, attend meetings or examine documents,
- covers claims brought against the entity, its employees and volunteers for any alleged or actual breach of duty, neglect, error, misstatement or omission,
- provides for defense of claims alleging errors or omissions covered by the policy even if the allegations are proven groundless,

- prior acts coverage is available,
- an innovative three-year program is available which stabilizes terms and conditions while limiting annual premium increases to 25 percent,
- Defense Costs are covered in addition to the policy limits.

What is Excluded?

While not intended to be a complete listing or description of all exclusions under the policy, significant exclusions are as follows:

- fraud, dishonesty, criminal or malicious acts or omissions,
- bodily injury or property damage,
- false arrest, detention or imprisonment, assault or battery, libel or slander,
- inverse condemnation and/or adverse possession,
- strikes, riots or civil commotion,
- pollution,
- employee benefit liability,
- breach of contract,
- fines, penalties, or punitive damages,
- nuclear energy liability.

Who is the Insurer and What is Their Experience with this Coverage?

Coverage is provided by American International Specialty Lines Insurance Company (AISLIC), part of the American International Group of Insurance Companies (AIG).

- *Experience*—AIG has been insuring public officials risks for twenty years and has grown to manage one of the largest portfolios of Public Officials Professional Liability insurance in the country.