

You've been sued! Now what?!

County Litigation and Legal Representation

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TEXAS ASSOCIATION *of* COUNTIES
RISK MANAGEMENT POOL

Presenters

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Disclaimer

The information presented in this session is to discuss best practices for educational purposes only. The coverage scenarios, questions, and answers presented are not coverage determinations. Coverage provided by the TAC RMP is subject to the terms and conditions of the applicable coverage documents.



Overview

Types of civil litigation against counties

What happens once suit is filed

Litigation process

Why legal representation is important



Civil Litigation

County

- Can be named to any suit
- Can be named erroneously
- Privacy and Security Incidents
- Automobile Accidents

Judges and Commissioners

- Employment matters
- Takings/Property
- Slip and falls
- Elections disputes
- Public policy disputes



Civil Litigation

Sheriff

- Jail matters including deaths
- Excessive use of force

Clerks/County and District Attorneys

- Professional negligence
- Acts or omissions
- Malicious prosecution



Litigation Examples

- *Little v. Llano Cnty.*, No. 23-50224, (5th Cir. 2024)
- *Texas Tribune v. Caldwell County*, No. 24-50135 (5th Cir. 2024)



Pre-Litigation Assistance

- TAC Legal Hotline
- TAC Risk Management Pool Consultants
- TAC Risk Management Pool pre-Claim involvement

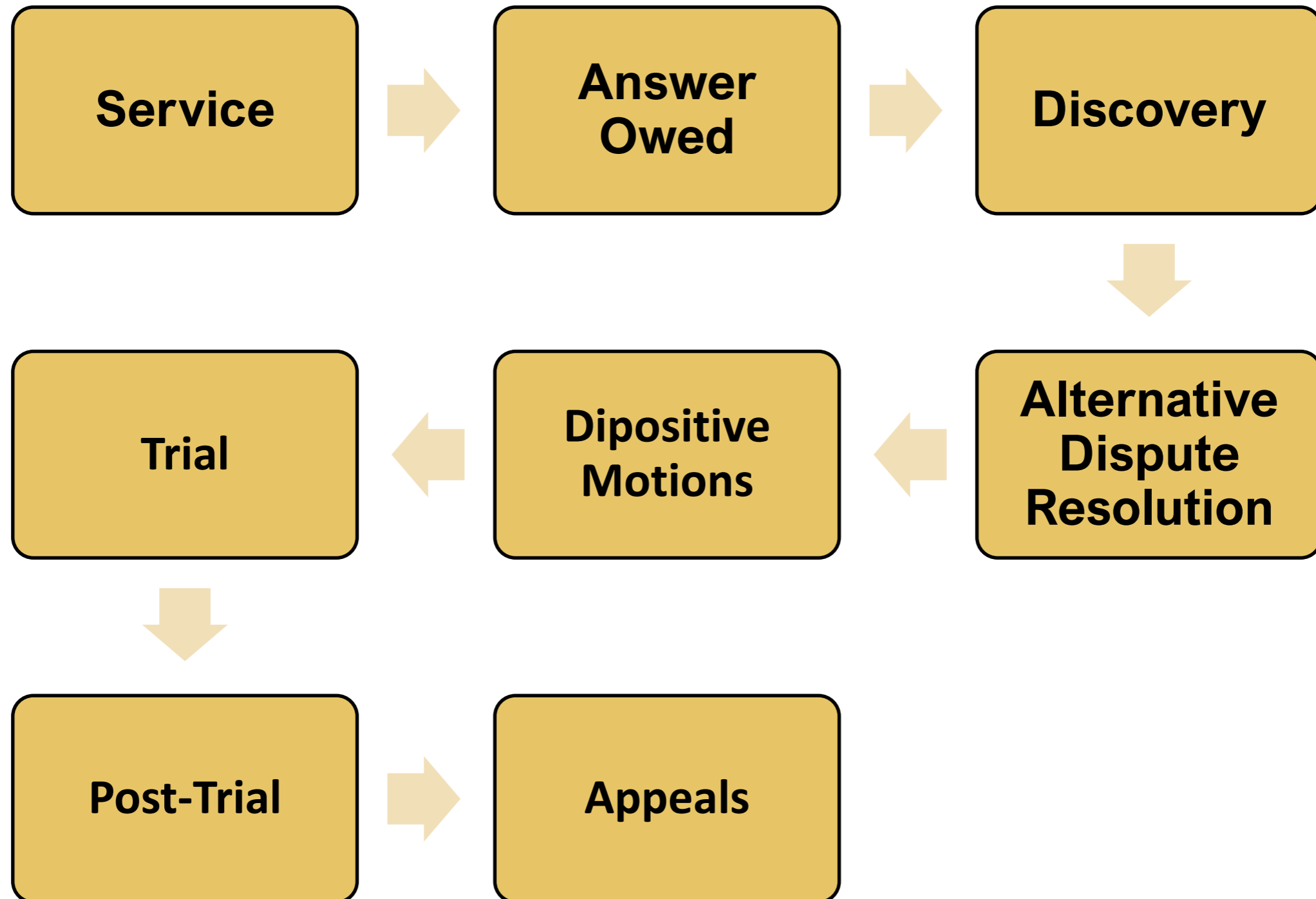


What happens after suit is filed?

- Service
- Notify County Attorney
- Notify your carrier
- Carrier determines coverage
- Have a plan if not covered



Litigation Process



Why is legal representation important?

- Timeliness
- Competency in governmental defenses and immunities
- TAC RMP Members get a whole team!



TAC Legal Hotline: (888) 275-8224

TAC Risk Management Pool Members with Coverage Products:

Online: <https://county.org/member-services/risk-management/file-a-claim>

Email: claims-cs@county.org

Phone: (800) 456-5974



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