

**GLOUCESTER, SALEM, CUMBERLAND COUNTIES
MUNICIPAL JOINT INSURANCE FUND**

RESOLUTION 2021 - 26

**A RESOLUTION ESTABLISHING PROTOCOLS FOR THE CITY OF VINELAND
FOR THE DEFENSE OF LIABILITY CLAIMS AS ASSIGNED BY THE FUND
SOLICITOR AND IN ACCORDANCE WITH THE FUND'S LITIGATION
MANAGEMENT GUIDELINES**

Whereas, the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund (TRICO JIF) has been organized pursuant to NJSA 40A:10-36 et seq.; and

Whereas, the TRICOJIF is duly constituted as a Municipal Self Insurance Fund to provide insurance coverage to its member municipalities; and

Whereas, the City of Vineland has been a member of the TRICO JIF since January 1, 2013; and

Whereas, the City of Vineland has its own self-insured retention for the costs associated with the defense of liability claims of at least \$200,000 before the costs associated with defending the claim become the responsibility of the TRICO JIF and the Municipal Excess Liability Joint Insurance Fund (NJMEL); and

Whereas, recently representatives for the City of Vineland have inquired as to the possibility of members of the City's Law Department being assigned by the Fund Solicitor to defend certain liability claims brought against the City; and

Whereas, allowing members of the City's Law Department to defend certain liability claims as assigned by the Fund Solicitor would save the City money in defense costs and assist the City in having a better understanding of some of their liability claims; and

Whereas, members of the City of Vineland's Law Department have previously been appointed as Assigned Defense Counsel to the Fund's Defense Panel and have actively defended liability claims on behalf of the City as directed by the Fund Solicitor; and

Whereas, the City of Vineland's request to allow members of the City's Law Department to defend certain liability claims as assigned by the Fund Solicitor has been reviewed and approved by the Fund's Executive Claims Review Committee and the NJMEL;

Now, Therefore Be It Resolved that the following protocols are hereby established in regards to the defense of liability claims against the City of Vineland:

1. Once a claim has been presented to the City, the Law Department shall communicate with the Fund Solicitor and the Fund Claims Administrator (TPA) requesting authority to handle the defense of the matter. Assignment of claims to the City Law Department to defend shall be made with mutual agreement between the Fund Solicitor and the Law Department.
2. All Litigation Management Guidelines adopted by the TRICOJIF shall be followed by the Law Department in order to assure compliance with reporting protocols, assignment of tasks, and communication with the Fund Solicitor and the Fund TPA.
3. The Fund TPA shall establish a claim file for each claim being defended by the City's Law Department and carry out their duties in accordance with the Litigation Management Guidelines.
4. Billing by the City's Law Department shall be in accordance with procedures outlined in the TRICOJIF Litigation Management Guidelines.

- a. All bills shall be submitted to the Fund Solicitor and the Fund TPA for review and approval.
 - b. Upon approval, the TPA shall charge the cost of defending the claim as an Allocated Legal Expense.
5. Nothing contained in these protocols shall contradict the procedures required by the TRICOJIF Litigation Management Guidelines, the TRICOJIF Reinsurers or Excess Carriers, or the NJMEL; and

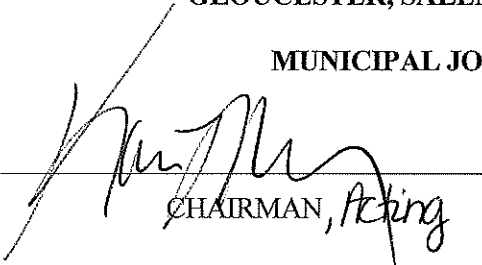
Be It Further Resolved that copies of this Resolution shall be provided to the Fund Administrator, TPA, and Solicitor and the City of Vineland for their information and action.

This resolution was duly adopted by the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund at a public meeting held on July 29, 2021

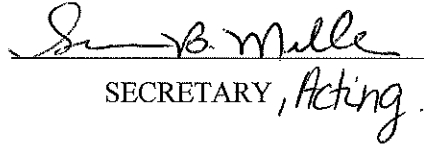
GLOUCESTER, SALEM, CUMBERLAND COUNTIES

MUNICIPAL JOINT INSURANCE FUND

BY: _____


CHAIRMAN, Acting

ATTEST: _____


SECRETARY, Acting

DATE: _____

July 29, 2021