

INTRO 2-9

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS MILLS, RATH, DIXON, HARDWICK and LORIGO

Re: Requesting Information Regarding Legal Settlements

WHEREAS, Erie County is self-insured for legal claims against it; and

WHEREAS, in order to pay for lawsuits, Erie County utilizes a risk retention fund in its budget; and

WHEREAS, during the budget process, it was determined that approximately \$6 million was sufficient for the risk retention fund in 2012; and

WHEREAS, Erie County must pay a \$7 million settlement by March 5, 2012; and

WHEREAS, it has been reported that hundreds of open litigation files could potentially expose Erie County to significant legal costs, taxing the risk retention fund; and

WHEREAS, it is important that the legislature have complete information regarding the risk retention fund as it monitors the current year's budget and prepares for the next; and

WHEREAS, the Erie County Legislature also understands that certain portions of certain settlements face confidentiality issues, such as not being able to publish the specific amount of a specific settlement.

NOW, THEREFORE, BE IT

RESOLVED, that this Legislative Body requests that the County Attorney, on a monthly basis, provide a written report to the legislature detailing:

- the names of each claim settled during the preceding month;
- the aggregate dollar amount of all settlements entered into during the previous month, as well as the source of the funding for the settlements; and
- the dollar amount paid for outside counsel during the previous month and the names of outside counsel receiving payments, as well as the source of funding for counsel; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to County Attorney Siragusa, Budget Director Keating and County Executive Poloncarz.

FISCAL IMPACT: None.