

Administrative Order



Administrative Order No.: 2-4

Title: Tort Liability Claims Settlements

Ordered: 12/3/1985

Effective: 12/3/1985

AUTHORITY:

Section 2-2 of the Code of Metropolitan Dade County, Florida.

POLICY:

It is the responsibility of the Risk Management Division of the General Services Administration of Metropolitan Dade County, Florida, to investigate, evaluate, and if appropriate, settle, adjust or compromise tort claims against Metropolitan Dade County arising out of its operations; provided that it shall first determine that any adjustment, compromise or settlement is in the best interest of the County, the amount of damages claimed, potential litigation expenses, the potential financial exposure of the County, the precedential effect of any potential litigation, and the effect of the claim or suit upon County policies and practices.

The Director of the Risk Management Division of the General Services Administration, or his designee, shall have authority to adjust, compromise or settle tort claims up to Twenty-Five Thousand Dollars (\$25,000.00) per claimant. Twenty-Five Thousand Dollars (\$25,000.00) up to Fifty Thousand Dollars (\$50,000.00) shall additionally require the approval of the Director of General Services Administration. Additionally, the County Attorney, or his designee, shall have the authority to adjust, compromise or settle tort claims up to Fifty Thousand Dollars (\$50,000.00) per claimant. Claims in excess of \$50,000.00 shall require the approval of the County Manager, or his designee, and the County Attorney, or his designee.

The settlement of all claims shall be reported on a quarterly basis to the County Manager for his submission to the County Commission. The report shall be prepared by the Director of the Risk Management Division, General Services Administration, and shall contain, but not be limited to the following information: the names of the claimant, the name of the claimant's attorney, the nature of the case, the date of the occurrence, and the total amount of the settlement.

PROCEDURES:

The procedures to be followed by County personnel, and the forms to be submitted in the reporting of incidents which may give rise to claims are intended to be for the County's internal use in anticipation and preparation of litigation and in no way are intended to replace any other formal notice of claim requirements. The Risk Management Division shall, upon approval of the Director of General Services Administration, establish reporting forms to be used in those cases where County employees become aware of potential claims. Such procedures will provide for the earliest possible notification to the appropriate official, enabling early investigation and evaluation.

This Administrative Order supersedes and abrogates all prior authority to adjust, compromise or settle tort claims. This Administrative Order is not intended or meant to serve as a substitute for formal requirements of investigation and evaluation which are prerequisites for the exercise of the authority granted herein.

This Administrative Order is hereby submitted to the Board of County Commissioners of Dade County, Florida.

M.R. Stierheim
County Manager