

Library Trustee, Officer, & Staff Indemnification Policy

Policy Statement

Each person who is a present or former trustee, officer or employee of the Van Buren District Library shall be indemnified and held harmless, to the fullest extent permitted by law, from any cost or loss, including counsel fees, incurred as a result of civil legal action or threatened civil action arising out of such person's actions or inaction, when taken within the legitimate scope of his/her duties and authority for the Library and taken in an actual and reasonable good faith belief that such action or inaction was lawful and appropriate (a covered person).

Regulations

1. Each person seeking indemnification must promptly notify the Board in writing upon becoming aware of a claim or potential claim, and provide such facts about the claim as the Board may require to assess the request.
 2. Failure to provide prompt notification may, at the Board's discretion, invalidate the indemnification.
 3. The Board may pay for, engage, or furnish the services of an attorney to advise the person as to the claim and to appear for and represent the person in the action.
 4. The Board may settle and pay the claim before or after the commencement of a civil action. Whenever a judgment for damages is awarded against a covered person as a result of a civil action, the Board of Trustees may indemnify the person or pay, settle or compromise the judgment.
 5. Whenever a criminal action is commenced against a covered person, the Board may pay for, engage, or furnish the services of an attorney to advise the person as to the action, and to appear for and represent them in the action, or alternatively indemnify the person for attorney's fees upon the conclusion of the matter. The payment of attorney fees shall be at the Board's sole discretion if the prosecution results in conviction or suspended plea of any kind.
 6. The Board shall not be responsible for nor provide any indemnification for civil or criminal fines, restitution, exemplary or damages awarded by a court or agreed to by the person in a settlement or plea deal.
 7. The Board may purchase insurance to cover its indemnification commitment under this policy.
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Approved: December 20, 2011
Van Buren District Library Board of Trustees