



County of Saint Joseph
DEPARTMENT OF HUMAN RESOURCES
227 West Jefferson Blvd.
South Bend, Indiana 46601
574-235-9547 Fax 574-245-6602

CLAIM FOR PERSONAL INJURY OR PROPERTY DAMAGE

1. Claimant Name:
2. Date of Loss: _____ Time of Loss: _____ a.m. p.m.
3. Exact Location of Loss:
4. Dollar Amount of Loss:
5. Names and Addresses of All Persons Involved (if known):
6. Your address at Time of Loss:
6a. Your Current Address (if different than #6) :
7. Home Phone Number:
8. Work Phone Number:
9. Alleged Negligence:
10. Explanation of What Happened (use additional sheets if necessary):

PLEASE READ: I swear and affirm under the penalties for perjury that the foregoing information is true and correct to the best of my knowledge and belief.

Claimant's signature

Date

PLEASE INCLUDE COPIES OF PAID RECEIPTS OR TWO ESTIMATES FOR REPAIRS, PHOTOGRAPHS AND ANY ADDITIONAL DOCUMENTATION IN REFERENCE TO THIS MATTER AND MAIL TO:

ST. JOSEPH COUNTY CLAIMS INVESTIGATIONS
227 WEST JEFFERSON BLVD.
SOUTH BEND, IN 46601

NOTICE OF TORT CLAIM FORM (Property Damage & Personal Injury)

Anyone who has a claim for personal injury or property damage against the County of Saint Joseph must either use this form to file a claim or make the claim in writing as prescribed in IC 34-13-3, and the following rules:

- KEEP A COPY OF YOUR CLAIM FORM, YOUR RECIEPTS FOR YOUR BILLS AND YOUR ESTIMATES FOR REPAIRS.
- IF YOUR CLAIM IS PROPERLY FILED, this office will investigate it, and will notify you in writing, within 90 days of receipt, of approval or denial of your claim.
- DO NOT DELAY IN MAKING YOUR CLAIM. Indiana law gives your only 180 (one hundred eighty) days after the date of loss to make a claim and it must comply with IC 34-13-3.
- THE FILING OF THE CLAIM IS PART OF A LEGAL PROCESS. If you have any questions about the correct way to file a claim, you should contact an attorney of your choice. By law, the county attorneys / risk managers are not authorized to assist you with filing this claim.

For your information, the following is a list of actions or conditions resulting in nonliability (pursuant to Indiana Code):

A governmental entity or an employee acting with the scope of the employee's employment is not liable if a loss results from:

- 1) The natural condition of unimproved property;
- 2) The condition of a reservoir, dam, canal, conduit, drain, or similar structure when used by a person for a purpose which is not foreseeable;
- 3) The temporary condition of a public thoroughfare that results from weather;
- 4) The condition of an unpaved road, trail, or footpath, the purpose of which is to provide access to a recreation or scenic area;
- 5) The initiation of a judicial or an administrative proceeding;
- 6) The performance of a discretionary function;
- 7) The adoption and enforcement of or failure to adopt or enforce a law (including rules and regulations), unless the act of enforcement and false arrest or false imprisonment;
- 8) An act or omission of anyone other than the governmental entity or the governmental entity's employee;
- 9) The act or omission of anyone other than the governmental entity or the governmental entity's employee.
- 10) The issuance, denial, suspension, or revocation of, or failure or refusal to issue, deny, suspend, or revoke, any permit, license, certificate, approval, order, or similar authorization, where the authority is discretionary under the law;
- 11) Failure to make an inspection, or making an adequate or negligent inspection, of any property, other than the property of a governmental entity, to determine whether the property complied with or violates any law or contains a hazard to health or safety;
- 12) Entry upon any property where the entry is expressly or impliedly authorized by law;
- 13) Misrepresentation of unintentional;
- 14) Theft by other person of money in the employee's official custody, unless the loss was sustained because of the employee's own negligent or wrongful act or omission;
- 15) INJURY TO THE PERSON OR PROPERTY OF A PERSON UNDER SUPERVISION OF A GOVERNMENTAL ENTITY and who
 - a. Is on probation; or
 - b. Is assigned to an alcohol and drug services program under IC 12-23, a minimum-security release program under IC 11-10 8, or a community corrections program under IC 11-12.
- 16) design of a highway (as defined in IC 9-13-2-73), if the claimed loss occurs at least 20 (twenty) years after the public highway was designed or substantially redesigned; except that this subdivision shall not be constructed to relieve the responsible governmental entity from the continuing duty to provide and maintain public highways in a reasonable governmental entity from the continuing duty to provide and maintain public highways In a reasonably safe condition; or
- 17) development, adoption, or implementation, operation, maintenance, or use of an enhanced emergency communication system.
- 18) Injury to a student or student's property by an employee of a school corporation if the employee is acting reasonably under a discipline policy adopted under IC 20-8-1.5.1-67(b).
- 19) Injury to a student or student's property by an employee of a school corporation if the employee is acting reasonably under a discipline policy adopted under IC 20-8-1.5.1-7(b).