



WASHINGTON COUNTIES RISK POOL

Created by Counties for Counties

DEFENSE COUNSEL REPORTING REQUIREMENTS

1. Client Communication. Defense counsel should keep the county and insured officials and employees informed of the status of the case throughout the litigation.
2. Initial Case Evaluation. Defense counsel must submit an Initial Case Evaluation within 30 days after assignment. The Initial Case Evaluation should substantially conform to and provide the information in the WCRP suggested Initial Case Evaluation format.
3. Litigation Plan. Defense counsel must submit a Litigation Plan within 60 days after assignment that provides the information required by the WCRP Litigation Plan form. Retained defense counsel should include estimates of hours and expenses for each category of activity. The Litigation Plan should substantially conform to and provide the information in the WCRP suggested Litigation Plan format.
4. Litigation Reports. Defense counsel shall submit a Litigation Report every 90 days that discusses significant events and activities occurring since the previous Litigation Report and, if applicable, an updated Litigation Plan. Each Litigation Report should substantially conform to and provide the information in the WCRP suggested Litigation Report format.
5. Interim Reporting. Information received by defense counsel as the case progresses and alters the case evaluation or defense strategy should be promptly reported to the WCRP.
 - i. Pleadings. Copies of all significant pleading should be submitted to the WCRP promptly with a cover letter discussing the pleading and the impact of the pleading on case evaluation or defense strategy.
 - ii. Discovery.
 - Interrogatories. Copies of all answered Interrogatories should be submitted to the WCRP promptly with a cover letter discussing the

pleading and the impact of the pleading on case evaluation or defense strategy.

Depositions. The WCRP claims staff will attend the depositions of Plaintiffs and key witnesses, as scheduling allows. Coordinate scheduling with the WCRP claims staff and promptly notify the WCRP of the date, time and location set. If WCRP claims staff is unable to attend a deposition, submit a brief report after the deposition that summarizes the deposition, any unexpected testimony, the strengths and credibility of the witness, and the impact of the deposition on case evaluation or defense strategy.

6. Pre-Trial Report. Defense counsel must submit a Pre-Trial Report at least 90 days before the trial date. The Pre-Trial Report should substantially conform to and provide the information in the WCRP suggested Pre-Trial Report format.

7. Post-Trial Report. Defense counsel must submit a Post-Trial Report within one week after a jury verdict. The Post-Trial Report should substantially conform to and provide the information in the WCRP suggested Post-Trial Report format.

8. Settlement. Settlement exceeding a county's deductible requires authority of the WCRP. [The county's deductible includes all defense costs.] Where the settlement authority sought exceeds the county's deductible by more than \$50,000, the WCRP Executive Committee must review and authorize the settlement authority. Obtaining settlement authority from the WCRP Executive Committee requires as long as one month to process.

9. Arbitration and Mediation. Selection of arbitrators and mediators requires review and approval of the WCRP Claims Manager. Submit the names and experience of candidates and consult with the Claims Manager prior to selection. The WCRP claims staff will attend arbitration and mediation. Coordinate scheduling with the WCRP claims staff and promptly notify the WCRP of the date, time and location set. Defense counsel should review and follow the WCRP guidelines for mediation.

10. Billings. Billings for professional services and expenses incurred shall be submitted to the WCRP on not less than a monthly basis. Billings shall contain a chronological description of services rendered and shall clearly identify the person providing service by name and position (partner, associate, paralegal, legal assistant), the date the work was performed, the person's hourly billing rate, the time expended, and a brief description of the work sufficient to identify the purpose of the work. Expenses shall be detailed, including a description and, when applicable, quantities and unit rates. Billing rates and expense reimbursement rates shall be consistent with the fee arrangement between the WCRP and defense counsel.