

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: PROFESSIONAL LIABILITY : STANDING ORDER #00-01  
INSURANCE REIMBURSEMENT :  
PROGRAM PLAN :

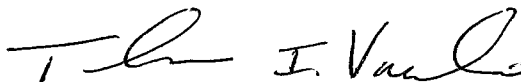
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**ORDER**

PER DK  
DEPUTY CLERK

Pursuant to a decision of the Judicial Conference of the United States, this court hereby establishes a Professional Liability Insurance Reimbursement Program Plan for court unit executives, probation officers and probation officer assistants, management officials and supervisors designated by the court unit executives. Such Plan, as approved by the Judicial Officers of the Middle District of Pennsylvania on May 19, 2000, applies to the United States District Court and the United States Probation Office, and shall become effective June 1, 2000.



Thomas I. Vanaskie, Chief Judge  
Middle District of Pennsylvania

Dated: May 31, 2000

# PROFESSIONAL LIABILITY INSURANCE REIMBURSEMENT PROGRAM PLAN

*June 1, 2000*

Eligible employees of the Middle District of Pennsylvania may be reimbursed for a portion of the cost of professional liability insurance subject to these guidelines. (Authority: Pub. L. No. 104-208, § 636 (1996); as amended by Pub. L. No. 105-277, § 644 (1998); as amended by Pub. L. No. 106-58, § 542 (1999); *Proceedings of the Judicial Conference of the United States* (JCUS-SEP 99, pp 66-67).

## **I. ELIGIBILITY.**

- A. The following employees are eligible to claim reimbursement pursuant to this policy:
1. Court Unit Executives;
  2. Probation Officers and Probation Officer Assistants;\*
  3. Management Officials designated by the Court Unit Executives.\*  
“Management official” means an individual employed in a position the duties and responsibilities of which require or authorize the employee to formulate, determine, or influence the policies of the court. See 5 U.S.C. § 7103(a)(11).
  4. Supervisors designated by the Court Unit Executives.\* “Supervisor” means an individual having authority to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment. See 5 U.S.C. § 7103(a)(10).
- B. Designation of an employee as eligible for reimbursement is not intended to recommend or discourage the purchase of a policy by an employee. Each employee must evaluate the risks related to his/her employment and compare the costs and benefits associated with such insurance.
- C. No employee of the court should endorse or recommend a policy offered by any company or association, but employees may provide information as to those insurers known to provide policies of this type to enable an employee to request information about the policies offered.

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\* See Exhibit A Attached.

**PROFESSIONAL LIABILITY INSURANCE  
REIMBURSEMENT PROGRAM PLAN**

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**II. EFFECTIVE DATE.**

Insurance premiums paid during Fiscal Year 2000 (October 1, 1999 to September 30, 2000) and forward.

**III. COVERAGE.**

- A. Professional Liability Insurance provides coverage for legal liability for damages due to injuries to other persons, damage to their property, or other damage or loss to such other persons (including the expenses of litigation and settlement) resulting from or arising out of any tortious act, error, or omission of the covered individual (whether common law, statutory or constitutional) while in the performance of such individual's official duties as a qualified employee; and
- B. The cost of legal representation for the covered individual in connection with any administrative or judicial proceeding (including any investigation or disciplinary proceeding) relating to any act, error, or omission of the covered individual while in the performance of such individual's official duties as a qualified employee, and other legal costs and fees relating to such administrative or judicial proceeding.

**IV. AMOUNT.**

The Judiciary will reimburse the employee for one-half the annual policy cost or \$150 per year, whichever is less.

**V. REIMBURSEMENT PROCEDURES.**

- A. Reimbursement requests must be submitted in writing to the Clerk of the District Court for payment and must be accompanied by a copy of the policy premium notice or statement of account showing the annual premium amount and the period covered by the policy. A sample Reimbursement Claim Form is attached (Exhibit B).
- B. The reimbursement request should indicate that the claim for reimbursement is being made pursuant to Pub. L. No. 104-208, § 636 (1996); as amended by Pub. L. No. 105-277, § 644 (1998); as amended by Pub. L. No. 106-58, § 542 (1999), and is in compliance with criteria established by the Judicial Conference and the Director of the Administrative Office.
- C. The Clerk of District Court shall maintain locally records of all reimbursement payments.

**EXHIBIT A**

**UNITED STATES DISTRICT COURT  
for the  
MIDDLE DISTRICT OF PENNSYLVANIA**

In addition to the Clerk of Court, the following positions are authorized to receive reimbursement for *Professional Liability Insurance*:

- Chief Deputy
- Deputies-In-Charge
- Operations Manager
- Administrative Supervisor
- Systems Manager
- Construction Project Manager
- Financial Administrator
- Personnel Specialist
- Docket Specialist

**UNITED STATES PROBATION OFFICE**

The Chief Probation Officer and the following positions are authorized to receive reimbursement for *Professional Liability Insurance*:

- Deputy Chief Probation Officers
- Supervising Probation Officers
- Senior Probation Officers
- Probation Officers
- Systems Manager
- Administrative Specialist

6/1/00  
Date

Mary E. D'Andrea  
Mary E. D'Andrea, Clerk of Court

6/1/00  
Date

Joseph P. Donohue  
Joseph P. Donohue, Chief Probation Officer

5/31/00  
Date

Thomas I. Vanaskie  
Thomas I. Vanaskie, Chief Judge

**EXHIBIT B**

**PROFESSIONAL LIABILITY INSURANCE REIMBURSEMENT PROGRAM  
REIMBURSEMENT CLAIM FORM**

TO: CLERK OF DISTRICT COURT (*REIMBURSING OFFICER*)

FROM:

DATE:

SUBJECT: *Claim for Reimbursement of Professional Liability Insurance*

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I hereby request reimbursement for the cost of Professional Liability Insurance in the amount of \$ \_\_\_\_\_.

This policy provides coverage from \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_. A copy of the policy premium notice or statement of account showing the annual premium amount and the period covered by the policy is attached to this claim.

This claim is being made pursuant to Pub. L. No. 104-208, § 636 (1996); as amended by Pub. L. No. 105-277, § 644 (1998); as amended by Pub. L. No. 106-58, § 542 (1999), and is in compliance with criteria established by the Judicial Conference and the Director of the Administrative Office.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Attachment