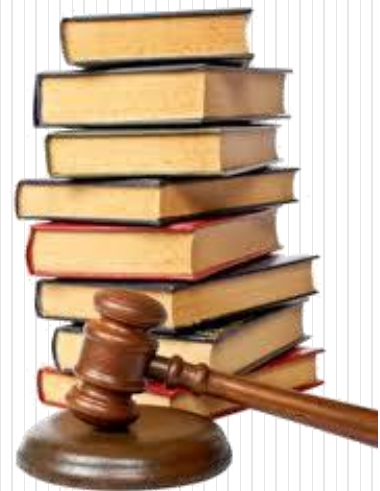


Legal Eye on Risk Management

Sarah J. Ponitz, B.S., J.D.

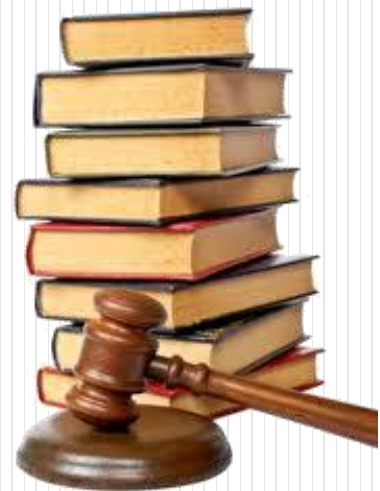
Executive Director

Faith in Action of McHenry County



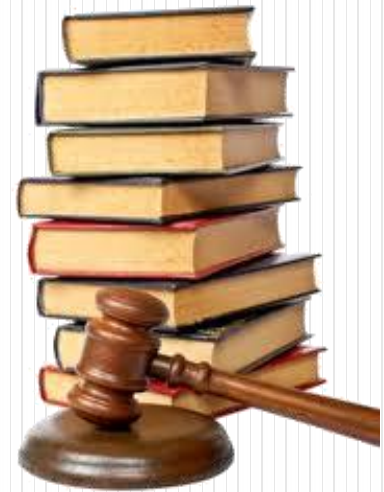
Topics of Discussion

- Background Checks
 - Volunteers
 - Care Receivers
- Hold Harmless Agreement
- Liability Insurance



Background Checks

- All Volunteers and Care Receivers
- What is a conviction?-Check your state!
 - Misdemeanor Convictions
 - Felony Convictions
 - Totality of the Circumstances
- Free Websites (*not available everywhere*)
 - Circuit Clerk's office in your county
 - National Sex Offender Registry
 - Judici (*for Illinois only*)
- Hire Right for all other counties or national checks



Hold Harmless Agreement

- *The undersigned care receiver (or volunteer) agrees to indemnify, save harmless, and defend Faith in Action of McHenry County, its agents, servants, and employees, and each of them against and hold it and them harmless from any and all lawsuits, claims, demands, liabilities, losses and expenses, including court costs and attorney's fees, for or on account of any injury to any person, or any death at any time resulting from such injury, to any person, or any damage to property, which may arise or which may be alleged to have arisen out of or in connection with the scope of service covered while receiving volunteer service with Faith in Action. The foregoing indemnity shall apply except if such injury, death or damage is caused directly by the willful and wanton conduct of Faith in Action of McHenry County, its agents, servants, or employees or any other person indemnified hereunder.*
- **Signed by BOTH volunteers and care receivers**

Liability Insurance

- Why have this coverage?
 - Protects the organization
- Should have Directors/Officers protection coverage
 - Wrongful acts, termination issues
- Negligence, wrongful death lawsuits
- Umbrella policy for additional coverage of volunteers beyond their personal automobile insurance which should be primary
- Our program updates insurance cards every month



Questions?

Thank you for attending this webinar!

Sarah J. Ponitz, B.S., J.D.

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