

INSTRUCTIONS FOR FILING A CLAIM AGAINST RACINE COUNTY

To file a claim against the County a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed at the bottom of this instruction sheet. Generally, the statute requires the claimant to submit to the County Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent, or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

The following information should also be submitted to allow the County to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to the County Clerk by one of the following options:

Mail:

County Clerk
730 Wisconsin Ave, 1st Floor
Racine, WI 53403

E-mail:

CountyClerk@RacineCounty.com

Fax:

262-636-3491

ADDITIONAL INFORMATION

Before you can file a lawsuit against Racine County for reimbursement, State law requires that you first follow the claim procedures established by the County Clerk.

Filing a claim against the County does not automatically guarantee reimbursement from the County. However, the County examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the County, you must prove that the County or its employees acted unlawfully or negligently.

Only the County Corporation Counsel or the County Board and the County Executive can authorize payment of a claim against the County. Any other representations made by County employees are not legally binding on the County.

893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. **(1d)** Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under Ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.



For Official Use Only:

Received by the Racine County Clerk on:

Claim Against Racine County

Claimant's Name:

Mailing Address:

City:

State:

Zip:

Phone Number:

E-mail Address:

Date of Accident/Incident/Loss:

Time:

Location of Accident/Incident/Loss:

County Department Involved:

Amount Claimed: \$

NOTE: Attach itemized receipts for amount(s) claimed.

Description of Accident/Incident/Loss: Provide a detailed description of the events that caused your claim including the location and specific address, if possible. State how Racine County or its employees were at fault. Include any supporting documents such as estimates, police reports, witness statements, etc. Attach additional pages if needed.

I declare under penalty of perjury that the foregoing is true and correct.

Date:

Signature: