

[Go to Personnel Staff Home Page](#)



U.S. Department of Justice

Washington, D.C. 20530

March 30, 2000

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS

FROM: Stephen R. Colgate
Assistant Attorney General
for Administration

SUBJECT: Department Policy on Partial Reimbursement of
Professional Liability Insurance (PLI)

Section 636 of the FY 2000 Treasury, Postal Service and General Government Appropriation act **requires** the Department to "... reimburse any qualified employee for not to exceed one-half the costs incurred by such employee for professional liability insurance." The provision is an authorization only. Neither the Department nor any other agency covered by the statute received any appropriations to pay for the insurance coverage. The cost will be borne by the various salary and expense appropriations of Department Components.

The statute defines a "qualified employee" as a law enforcement officer" or "a supervisor or management official." The definition of "law enforcement officer" includes employees covered by the law enforcement retirement system -- the traditional meaning of the term -- but also includes prosecutors.

Professional liability insurance is defined by the statute as insurance providing coverage for:

"(A) 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 any such administrative or judicial proceeding."

The Attorney General approved the Department's policy for reimbursement. Effective October 1, 1999, the Department will reimburse law enforcement officers, attorneys, and supervisors and managers for up to one-half the cost of PLI, not to exceed \$115 (with a provision which permits a component to reduce the amount to not less than \$50 for good cause shown to the Assistant Attorney General for Administration).

Each component is responsible for processing reimbursement claims through their financial management systems and must be able to identify payments made under this authority. In order to collect reimbursement monies, the employee must submit evidence of purchase and payment of the insurance. The proof must be attached to a properly executed SF-1164, "Claim for Reimbursement for Expenditures on Official Business," or equivalent, and submitted through their appropriate component channels. Only one reimbursement per fiscal year is authorized for eligible employees.

For additional guidance contact Sheila D. Marshall of the Personnel Staff's Policy Group at sheila.d.marshall@usdoj.gov or call her on (202) 514-6778.