

## MUNICIPAL LEGAL CLAIMS

In November of 1995, local Democratic leaders in Cranston demanded that Mayor Michael Traficante disclose the amount the city would pay a former Cranston policewoman, Suzanne Jardin, in a sexual harassment settlement. Soon thereafter, city officials declared that there had been an out-of-court agreement with the officer in question, but that the amount of the settlement and all other details of the case would remain undisclosed because both sides had agreed to keep the information confidential. The Providence Journal then requested the settled amount, invoking Rhode Island's Open Records Law (Richard Salit, "Democrats to Mayor: Disclose Harassment Settlement," *Providence Journal*, November 21, 1995, p. C-1). The amount was eventually disclosed, but the story suggests that there are sometimes strong forces in favor of confidentiality. A similar incident occurred the 1980s, when Central Falls officials refused to release an out-of-court settlement of a personal injury suit against the police. Only after the Providence Journal filed a Superior Court suit to force disclosure did the city finally release the terms of the settlement (Suzanne Espinosa, "Law Let City Pay Settlement Quietly," *Providence Journal*, July 24, 1990, p. A-1).

Though requests for the financial terms of lawsuits rarely make headlines, the Open Records Law in Rhode Island has clearly provided since 1991 that the financial terms of claims against municipalities are public records (see "Legal Background," below). Each year there are hundreds of lawsuits filed against Rhode Island municipalities. The Rhode Island Interlocal Risk Management Trust, a nonprofit insurance company which handles insurance for 28 cities and towns and 23 school districts in Rhode Island, has handled 14,000 legal claims in its twelve year history (Rhode Island Interlocal Risk Management, 1998 Annual Report). There are undoubtedly many additional claims against municipalities that self-insure or that buy insurance from other carriers.

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### *Why Study the Openness of Legal Claims?*

**“If a lawsuit against a municipality was settled or otherwise resolved with any kind of financial terms, the terms are public records.”**

The study of the accessibility of financial settlements of legal claims against municipalities was prompted by several factors. First, lawyers and their clients are known to favor secrecy in the settlement of lawsuits. Cases are easier to settle when the parties agree to keep the terms private, and often at least one party has a strong interest in doing so. However, when one of the parties involved is a public body, this secrecy is inappropriate and illegal. Cases like the 1995 Cranston sexual harassment lawsuit demonstrate that such secrecy is an issue with municipal lawsuits. In addition, the preliminary research for this study uncovered two cases in which the settlement terms of cases against municipalities were apparently kept confidential: one by order of the court (Warwick), the other by agreement of the lawyers (Exeter).

Second, the accessibility of financial settlement records is directly pertinent to citizens, as monetary payments are reflected in the city or town budget, either directly or through insurance rates and deductibles. In some municipalities, the city or town council must approve settlements. In others, they are handled through various risk-management arrangements. Whatever the arrangements for handling such claims, their potential impact on public resources makes them obvious matters of public interest. As the mayor of Cranston remarked in the Jardin case, "I personally believe the public has a right to know. We're dealing with public funds" (Salit, C-1).

Finally, we decided to study the accessibility of this particular information because the law explicitly states that it is public. If a lawsuit against a municipality is settled or otherwise resolved with any kind of financial terms, the terms are public records.

### *Legal Background*

The Open Records Law has provided since 1991 that "records reflecting the financial settlement" of legal claims against public bodies "shall be deemed public records" (R.I.G.L. 38-2-14, 1991 version). A 1998 amendment makes public any non-financial portions of settlements as well, reading, "Settlement agreements of any legal claims against a governmental entity shall be deemed public records" (R.I.G.L. 38-2-14, 1998 version). Although we conducted the study after the passage of the 1998 amendments to the Open Records Law, to avoid confusion, we requested only information that was clearly public under both the 1991 and 1998 versions of the law.

The law places no limitation on who may request public records. Furthermore, if a citizen is denied access to a public document, it is the agency's responsibility to justify the denial. The Open Records Law states, "Any denial of the right to inspect or copy records... shall be made to the person or entity requesting the right by the public body

### **The Rhode Island Trust**

Rhode Island Interlocal Risk Management, commonly referred to as simply "The Trust," was formed in 1986, after the General Assembly passed a bill in response to increasing insurance premiums and shrinking coverage for municipal entities. Authorizing "city and town councils to jointly establish an insurance corporation, to obtain insurance, and to enter into a cooperative risk management program", the new law permitted the creation of a nonprofit insurance company (R.I.G.L. 45-5-20.1).

Rhode Island municipalities, school districts, and local public bodies can attain membership in the Trust. Currently, 80 local entities including 28 municipalities, 23 school districts, and 29 other bodies such as tourist bureaus and libraries hold Trust memberships.

The Trust is managed by a member-elected board comprised of municipal finance directors, school district superintendents, city and town managers, and other municipal leaders.

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### Excessive Tax Claims

**E**xcessive tax cases are civil lawsuits against the city or town in which the plaintiffs contest the monetary amount being taxed on their property by the municipality. These lawsuits are often directed against the city or town tax assessor, treasurer, financial director, or controller. After a municipality sends tax bills to property owners, they have between thirty and ninety days, depending on the municipality, to appeal the assessment. Three levels of appeal exist. First, the property owner sends the grievance to the tax assessor. If the tax assessor does not change the assessment, the property owner can send the contested assessment to the Tax Board of Assessment. If the Board rules in favor of the property owner the adjustment is changed and is reflected in the tax assessor's records. If not, the individual may appeal to superior court. If a judge rules that there has been a misassessment of the property, the tax assessor's records are changed to reflect the new assessment. There is no question that tax assessors have custody of records containing any assessments changed through this process.

official who has custody or control of the public record in writing giving the reasons for the denial within ten (10) business days of the request and indicating the procedures for appealing the denial. . . Failure to comply with a request to inspect or copy the public record within the ten (10) business day period shall be deemed a denial" (R.I.G.L 38-2-7 (a) (b)).

The Open Records Law also specifies the amount of money a public body may charge a citizen for copies of public records. The statutory limit for photocopying is fifteen cents for each page. If a search is required to locate information, a maximum amount of \$15.00 an hour may be charged by the municipality, with the first hour of research being free (R.I.G.L 38-2-4).

### *What We Requested*

**I**n order to observe whether or not municipalities were following the above provisions of the Open Records Law, we requested the financial terms of settlements reached against each municipality. To identify cases in which financial settlements were likely to have been reached, we first collected and analyzed the basic information about as many cases as possible in which municipalities were named as defendants since 1991. Using the public computer terminals at the Providence Superior Court, we ascertained the disposition, case type, and relevant dates for cases in which some part of the municipal government was sued for anything that might involve a financial payment. Some types of suits, such as declaratory judgments or temporary restraining orders, are unlikely to have financial terms. Other types of lawsuits, such as personal injury, excessive tax, contract, employment discrimination, and other torts (e.g. libel, malpractice), are likely to involve a financial settlement. We looked for recent lawsuits of these types in which the case status read "stipulation filed, case settled," but for which the electronic record did not indicate the terms of the settlement<sup>1</sup>.

After much research, it became clear that it would be impossible to find three cases against each city and town that met our criteria of occurring after 1991 and involving a financial settlement. We could not find even two such cases in Exeter or Jamestown. However, we found

<sup>1</sup> disposition of almost every case selected for this study was classified as "stipulation filed, case settled" at the court. This supposedly means there was a settlement of some sort, although the financial terms are rarely included in the case file. When we requested the settlement terms from the towns, we were told in a few instances that the case was still pending. We had not anticipated discrepancies between the information in the court data systems and what we were told by the city or town. When it was possible to do so, we selected a new case to study.

that most cities and towns had at least one excessive tax suit and one personal injury suit filed against them. Therefore, we decided to send two rounds of requests. Wherever possible, the first round of requests focused on excessive tax cases and was sent to the tax assessor. The second round generally focused on personal injury cases and was sent to the city or town clerk. Since the excessive tax request was sent to the tax assessor and the personal injury request was sent to the city or town clerk, the chances that the person receiving the second request would know about the first inquiry were minimized. In some cities and towns, these two types of cases could not be located, so contract damages, libel and slander cases (defamation by writing or the spoken word, respectively), real property lawsuits, and job discrimination cases were used instead.

### *How We Requested the Information*

All of the requests in this component of the study were made by mail. The letters gave the tax assessors and clerks the case title and the year that the lawsuit was filed, and requested the financial terms of the settlement. We retained copies of all correspondence to ensure that there was no question about the precise details of the request.

We sent case information for the first round of requests to our volunteers in the first week of December, 1998. For 29 of the cities and towns, we located an excessive tax case for this round, and the volunteers thus mailed the request to the local tax assessor. For cities and towns without an appropriate excessive tax suit, we located substitute cases, with a strong preference for cases unlikely to overlap with the focus of the second wave of requests, which was personal injury settlements. The substitute cases represented a range of case types: three personal injury cases, two contract cases, two real property cases, and one legal malpractice case. The volunteers mailed requests for these assorted cases to the city or town clerk. (A request for Jamestown was not mailed in the first round as only one lawsuit was located during our preliminary research.)

The second round of letters was mailed in the middle of January, 1999. We identified cases for 36 of the 38 jurisdictions. Twenty-seven of the 36 requests were for the financial terms of a personal injury case. Four other cases also involved tort claims: one for assault and battery and three for libel. The remaining cases were an assortment of civil actions: a credit union case, one real property case,

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two cases for contract damages, and one job discrimination case. With one exception, the volunteers sent this round of requests to the city and town clerks. We had difficulty in locating a second case for Portsmouth, so the letter was not sent out with the others. In order to expedite a response, we sent the request directly to the town treasurer who was named as a defendant in the case.

We sent the second round of requests to the city and town clerks rather than to the city and town solicitors or the Rhode Island Interlocal Risk Management Trust for several reasons. Clerks are the guardians of the city and town records. (We conducted interviews with various city and town clerks. Most described their duties as coordinating, maintaining, and administering all official records of the municipalities.) Requests were sent to the clerks because, as guardians of the municipalities' records, clerks should either be able to locate the requested information in their own files, or obtain the information from a solicitor or the Trust when appropriate.

We did not direct our requests to the Rhode Island Interlocal Risk Management Trust because, although several municipalities hold membership in the Trust, and their case settlements over \$2,500.00 would be covered by the Trust, we did not know the settlement amount for each case before our request, so we had no way of knowing ourselves whether it was appropriate to direct the request to the Trust.

We did not direct our requests to city and town solicitors because solicitors are often private contractors. There is more turnover among solicitors than among clerks, and different firms have represented a municipality at different times. It is sometimes difficult to determine who is the solicitor. It seems reasonable for the city or town clerk to keep track of the municipality's current solicitor, and to be able to forward requests to former solicitors when appropriate, but it seems unreasonable to expect citizens to figure out who represented a city or town several years ago in order to request a public document. Furthermore, solicitors who are no longer under contract are still legal custodians of records, and may bill the city or town for time spent on those cases. We asked city and town clerks for information because the clerk might be able to answer the request himself or herself, without the need to incur a retrieval fee from the former solicitor.

**“...it seems unreasonable to expect citizens to figure out who represented a city or town several years ago in order to request a public document.”**

*Measuring Compliance*

**W**e anticipated that measuring compliance would be quite straightforward. If the financial terms of the lawsuit settlement were disclosed, the city or town would be counted in compliance. If the municipal body did not provide the financial terms, it would be considered a denial. As the study progressed, however, it became apparent that measuring compliance would not be quite so simple.

The first complication involved instances in which we were informed by municipalities that the requested case had been dismissed without any payment or settlement of any sort. In Westerly, when we telephoned the tax assessor to clarify his written response that the plaintiff had not pursued the litigation, he informed us that there had, in fact, been a settlement. In East Providence and Tiverton, the tax assessors responded to our requests by mail, stating that the cases requested had been dismissed. These responses were puzzling, since the court records had indicated that the cases had been settled. But then we received an extremely useful response from the Barrington Town Solicitor regarding a request for the settlement of an excessive tax case. The solicitor enclosed a copy of the dismissal (which said nothing about a stipulation or settlement) and reported the change in the tax assessment, mentioning also that "the change in assessment is reflected in the records maintained by the tax assessor." This caused us to re-evaluate the other responses. Since the tax cases might have been dismissed after an agreement of some sort about the property assessment, we wrote back to those assessors to confirm that there was no financial settlement. None of them responded to the follow-up inquiry. In the instances mentioned in this paragraph, however, we credited the initial response as being in compliance.

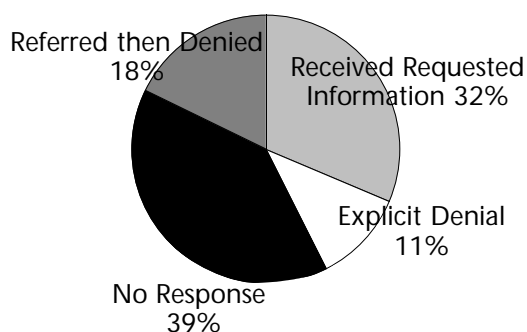
A more widespread complication in measuring compliance came not from puzzling answers to our requests for terms of financial settlements, but rather from the lack of answers to our requests. The response (or lack thereof) to our requests led us to distinguish between three types of "denial": explicit denials, denials by way of no response, and those requests that were referred to another department and then denied, either by no response or an explicit denial. The third category ("referred, then denied") was added largely because of the number of cases in which schools were the primary defendants. For six of the liability cases in which the municipality was named, the city or town clerk responded to our letter by directing us to

**"A more widespread complication in measuring compliance came not from puzzling answers to our requests for terms of financial settlements, but rather from the lack of answers to our requests."**

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**“The overall compliance rate with requests for the financial terms of legal claims was barely over thirty percent despite the fact that the information requested is unquestionably covered under the Open Records Law.”**

Chart 2.1  
Overall Compliance for all Cases



**“As a group, tax assessors provided the financial terms of excessive tax suits about 48% of the time. Almost one-third (28%) of the assessors did not respond to the inquiry. ”**

request the information from the school district. School districts are governed separately from cities and towns. Furthermore, since school districts are represented by their own solicitor, it was reasonable to redirect the request.

We did not routinely conduct follow-up inquiries in those cities and towns that did not respond to the initial request. Additionally, except for instances in which the clerk suggested that we redirect our request to the school department (see above), we also did not follow up on suggestions to make our request elsewhere. The entities from which we requested information are public bodies who are obligated to respond to public inquiries. Multiple requests for the same item should not be necessary in order to comply with the law. If a clerk did not have the requested information, it was acceptable for him or her to pass on the request to the appropriate person (as some did), but not simply to tell the citizen requesting information to look elsewhere.

### RESULTS

The overall compliance rate with requests for the financial terms of legal claims was barely over thirty percent despite the fact that the information requested is unquestionably covered under the Open Records Law. We requested the financial terms of 73 lawsuits, and we received the information requested in only 23 cases (32%). The denials were largely by way of omission: 29 (39%) did not respond to the request. Twenty-one cases (29%) were denied either by an explicit statement that the volunteers could not have the information or by a referral to another department that ultimately did not provide the information.

Only five towns provided all the financial information requested: Barrington<sup>2</sup>, Charlestown, East Providence, Narragansett, and Westerly. Seventeen municipalities, on the other hand, provided neither one: Central Falls, Coventry, Cranston, Glocester, Hopkinton, Johnston, Little Compton, Middletown, Newport, North Kingstown, North Providence, Providence, Richmond, Smithfield, Warren, West Greenwich, and West Warwick. The remaining jurisdictions provided the outcome for one lawsuit and did not fulfill the request for the other. (There was only case for Exeter and one for Jamestown, and in both cases, there was no reply to the request.)

<sup>2</sup>The second case chosen for Barrington was not appropriate for the study and thus, was not included.

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### Tax Assessors

In the first round, 29 of the 37 requests went to tax assessors, requesting the financial terms of an excessive tax case settled since 1991. As a group, the tax assessors provided the financial terms of "excessive tax" suits about 48% of the time. Almost one-third of the assessors did not respond to the inquiry. Several responded in a fashion that suggested they were unfamiliar with their files or were unable to retrieve the information that is required to be reflected in the tax assessment records. For example, in response to a request for an excessive tax case, the tax assessor in Newport wrote, "I was unable to find this information in my office. I am sure it is here somewhere but that was about the time when the previous Assessor left and I started. I would really have no idea where to start to look for this." This lack of knowledge about the case is even more surprising when one considers that the assessor himself was named as the defendant in the case.

In Little Compton, the tax assessor responded to our request by saying that his office had no record of a lawsuit being filed under that name. In North Providence, the tax assessor responded that she could not find any information regarding the case and that it must not exist. The North Smithfield tax assessor replied to the request by suggesting that the volunteer contact the solicitor or town council, even though the request was for an excessive tax settlement-- one that would have to be reflected in the tax assessor's records. All four of these situations suggest a need for better information management systems.

### City and Town Clerks

We sent 35 of the requests in the second round to city and town clerks; also, eight cases in the first round were sent to city or town clerks (in municipalities where an excessive tax case could not be located). Most of the requests (28) were for personal injury settlements. The fifteen other requests were for an assortment of cases from contract damages to job discrimination. For only nine of the forty-three requests (21%) did the clerk respond by providing the information.

One of the most striking results was the lack of response to requests sent to clerks. Forty-six percent of all case requests sent to municipal clerks did not receive a response.

Some of the clerks who did respond to our requests, but did not provide the information requested, informed us

Chart 2.2  
Tax Assessor Case Outcomes

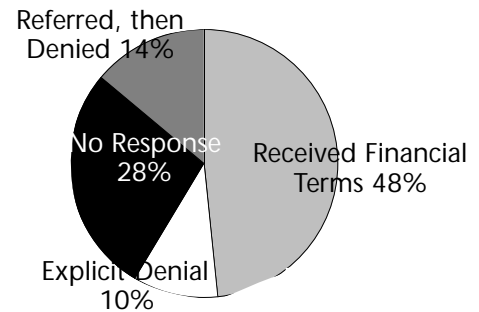
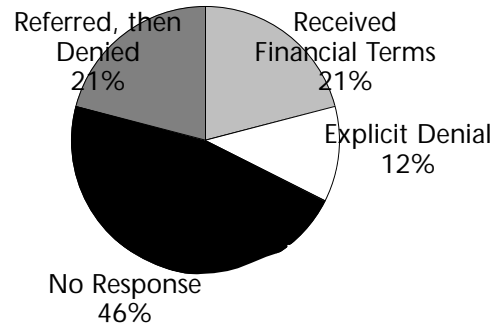


Chart 2.3  
City and Town Clerk Case Outcomes



**"For only 9 of the forty-three requests (21%) did the clerk respond by providing the information."**

**"Forty-six percent of all case requests sent to municipal clerks did not receive a response."**

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**“Eleven of our inquiries sent to clerks and tax assessors ultimately received a response from a city or town solicitor. In three cases, the solicitor provided us with the relevant financial information. ”**

that they had referred the request to another department. (As was previously mentioned, a separate category within “denial” was made to credit clerks for their assistance in situations in which requests were referred by the clerk to another department- either the solicitor or the school department- and then denied by that department.) Other clerks responded that they could not locate the requested information. Several clerks replied with letters saying that the financial records in question did not exist or that they could not find evidence of any such cases in their records. Clerks in Hopkinton and West Warwick denied our requests in this manner. Since we confirmed all cases at the Providence Superior Court and some at the Judicial Records Center in Pawtucket, these instances suggest a problem with municipal information management systems (see also similar instances with tax assessors, above).

Other clerks did not provide the information, and told us to look for it elsewhere. In Foster, the town clerk telephoned our volunteer and said that if the request were for a court case, it would be filed at the court, not the town hall. This advice was inappropriate as the court documents did not contain the settlement information, though the financial settlement would undoubtedly be reflected in the records of the municipality.

### *City and Town Solicitors*

**E**leven of the inquiries sent to clerks and tax assessors ultimately received a response from a city or town solicitor. In three cases (the Barrington request, the excessive tax case request sent to Portsmouth, and the first request sent to Scituate), the solicitor provided us with the relevant financial information. In five cases (Cumberland, Hopkinton, Little Compton, Warren, and Woonsocket), the solicitors essentially stated that they did not have the information in question or suggested that we look elsewhere. In Little Compton, for example, the solicitor responded to our request by stating that the information was not “readily at hand.” The Woonsocket city solicitor responded to our request by stating that the city “did not have the documentation,” and referred us to the court. In one instance, the second Scituate request, the town solicitor offered to look for the information only if the citizen paid a \$21.50 storage retrieval charge for

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information covered by the Open Records Law.<sup>3</sup> As noted in the Law, a retrieval fee can be charged, but the first hour of research is free. Furthermore, if an additional hour of effort were needed to retrieve the information, a maximum of \$15.00 can be charged. Thus, the \$21.50 charge is not warranted.

In two instances, solicitors told our volunteers directly that they could not have the requested information. The Providence city solicitor responded to the volunteer's request by saying that his office's policy was to give information only to those who were directly involved in the case. This "policy" is not supported by the Open Records Law. The most troubling response came from the Richmond town solicitor. The solicitor called the volunteer and asked why he was requesting the information. As the conversation continued, the solicitor became irritated, as he apparently did not believe the volunteer did not have a financial stake in the case. Ultimately, he hung up, and we heard nothing further from the solicitor or the town.

### *School Districts*

In seven of our requests, we redirected our inquiry to the school district's office. Two of these requests were met with a helpful reply from the school district (in Foster-Glocester and Narragansett). The Foster-Glocester School District solicitor responded to the request, stating that although the case had been settled, the settlement was between the plaintiff and the individual teacher involved. He added that neither the school district nor its insurance carrier made any financial payments as part of the settlement. The other five requests (Bristol-Warren, Burrillville, Central Falls, Middletown, and Warwick) went unanswered. School departments are apparently as unresponsive as tax assessors and city and town clerks when asked to provide public information on the settlement of legal claims.

**"In seven of our requests, we redirected our inquiry to the school district's office. Two of these requests were met with a helpful reply from the school district."**

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Chart 2.4

Overall Compliance Breakdown

#### **Provided Settlement**

ta 48%

ctc 21%

#### **Explicit denial**

ta 10 %

ctc 12%

#### **No response**

ta 28%

ctc 46%

#### **Referred, then denied**

ta 14%

ctc 21%

Tax Assessor = ta

City and Town Clerk = ctc

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**"The predominant problem seems to be haphazard records management and flawed information systems."**

<sup>3</sup>The law addresses custody of public information directly. "The elected or appointed state, county, or municipal officer or officers charged by law with the responsibility of maintaining the office having public records shall be the custodian thereof" (R.I.G.L. 38-1-9). This section assigns custody of public records to anybody who holds the records themselves-- public or private. Because the information requested is public, it is the city or town's responsibility as the owner of the public records to know where these public records are. Municipalities can delegate the task of retrieving them, but are still subject to the law. As for the solicitors or their firms, if a public records request is made, they are obligated to honor that request since the municipality is their client and it is up to the solicitor to make certain his/her town is in compliance with the law. Other municipal officers in addition to the solicitor, like the tax assessor, treasurer, clerk, and auditor are also obligated to meet a public records request for lawsuit settlement information. Inquiries about personal injury lawsuits handled by solicitors are under their jurisdiction, regardless of where the records are physically kept. It happened that some of the cases we chose had been handled by a former solicitor who was no longer employed for those services by the municipality. Although the current solicitors were expected to be able to retrieve the case file upon request, it was not expected that he or she have intimate knowledge of the case, as it was settled before they began working for the town. However, the first solicitor is still under an ethical obligation to assist the town in retrieving these records since the town was his or her client. Just as an attorney who leaves in the midst of a lawsuit must provide all files and information to the incoming attorney, so must the former solicitor.

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### *Flawed Information Systems*

The compliance rate for this component of the study is inexcusably low. In a few cases, non-compliance with the law was the result of an outright refusal to provide the requested information, indicating that some city and town employees need a better grounding in the terms of the Open Records Law. The law does not support the position taken by the solicitor in Providence that only certain people may view the financial settlement of a case; nor does it support the apparent decision to seal an entire case in Warwick or to settle one with a confidentiality agreement in Exeter. Some city and town solicitors have apparently carried the secretive practices of the legal culture into a realm where they are inappropriate: the public sector.

By far the largest obstacle to accessing records, however, came not from outright refusals to provide information, but rather from the non-responsiveness of many tax assessors and clerks. Most officials either did not respond at all to our requests or responded without providing the information we wanted. Although only a few officials encountered in this study seemed intent on concealing information, many were unsure of where to find the information and were not inclined to find out the answer. The predominant problem seems to be haphazard records management and flawed information systems.

The presence of poor records management was evident in several responses from tax assessors, clerks, and solicitors. As discussed above, tax assessors from Little Compton, Newport, and North Smithfield, clerks from Foster, Hopkinton, and West Warwick, and solicitors from Cumberland, Hopkinton, Little Compton, Warren, and Woonsocket all either failed to provide the requested information because they could not locate it, or inappropriately told us to look for the information in the courts. The problem of poor information management was exemplified in the response to our request for the settlement of an excessive tax case in Warren. The tax assessor forwarded our request to the solicitor, who redirected it to the town manager. The manager did not provide the settlement information, stating that "These records are. . . available through the Rhode Island court system. . . The Town of Warren feels that you would receive the proper information from the source legally responsible to provide this information to you." The financial terms of excessive tax cases are not included in court records; that is one of the reasons we decided to study these cases. The town's records should reflect the financial settlement, but neither the tax assessor, the town solicitor, nor the town manager was able to provide this public information.

Overall, the results of this study suggest the need for greater effort and organization in responding to public inquiries. Public records are only meaningfully public if they can be accessed with relative ease.

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CITY AND TOWN SUMMARIES	CASE ONE	CASE TWO
BARRINGTON	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The town solicitor responded by mail and provided the settlement figure.	<input type="checkbox"/> Note: The second case had to be removed because it did not fit our criteria.
BRISTOL	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor responded by mail and provided the settlement figure.	<input type="checkbox"/> A letter requesting the settlement of an assault and battery case that had been filed against the school department was sent to the town clerk. The town clerk instructed us to forward the request to the school district. We did so, and did not receive a response.
BURRILLVILLE	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor sent us a copy of the consent decree that settled the case.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. She responded, stating that her office "receives the notice, but does not respond to it." She recommended that we contact the school department since that was where the claim originated. We forwarded the request, but did not receive a response.
CENTRAL FALLS	<input type="checkbox"/> A letter requesting the settlement of an assault and battery case that had been filed against the town and the police department was sent to the city clerk. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case that had been filed against the school department was sent to the city clerk. She responded by mail and instructed us to contact the school department. We forwarded the request to the school department, but did not receive a response.
CHARLESTOWN	<input checked="" type="checkbox"/> A letter requesting the settlement of a contract damages case was sent to the town clerk. The town treasurer sent us a copy of the arbitrator's award.	<input checked="" type="checkbox"/> A letter requesting the settlement of a contract damages case was sent to the town clerk. We received a copy of the settlement check from the town treasurer.
COVENTRY	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.
CRANSTON	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the chairperson of the Tax Assessment Review Board. The chairperson responded by mail, recommending that we forward the letter to the city tax assessor. We did so, but did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a libel/slander case was sent to the city clerk. We did not receive any response.
CUMBERLAND	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a copy of the town council's resolution that settled the case.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The town clerk responded by mail, stating that she had forwarded the letter to the town solicitor's office, and that they had informed her that they "could find nothing under this name." We confirmed the existence of the case at the Superior Courthouse.
EAST GREENWICH	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor sent us a copy of the dismissal stipulation and the financial terms of the settlement.	<input type="checkbox"/> A letter requesting the settlement of a libel/slander case was sent to the town clerk. We did not receive any response.
EAST PROVIDENCE	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor responded that the case had been dismissed. We sent a follow-up letter to clarify whether or not there was a financial settlement even though the lawsuit had been dismissed. We did not receive a response to the follow-up letter.	<input checked="" type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the city clerk. The city's risk management coordinator sent us a letter that listed the settlement amount.

# MUNICIPAL LEGAL CLAIMS

	CASE ONE	CASE TWO
EXETER	<input type="checkbox"/> A letter requesting the settlement of a malpractice case was sent to the town clerk. We did not receive a response.	<input type="checkbox"/> Note: We could only locate one case for Exeter.
FOSTER	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The clerk responded with a phone call, stating that court cases were filed at the court and not at the town hall. We were instructed to direct our inquiry to the courts.	<input checked="" type="checkbox"/> A letter requesting the settlement of a libel case that had been filed against the school district was sent to the town clerk. We received a letter from the solicitor for the school district that stated, "neither the Foster- Gloucester Regional School District nor its insurance carrier made any financial payment as part of the settlement."
GLOCESTER	<input type="checkbox"/> A letter requesting the settlement of a real property case was sent to the town clerk. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.
HOPKINTON	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a credit union case was sent to the town clerk. Both the town clerk and the town solicitor contacted us, saying that they could not find the file. The solicitor stated he would make inquiries to the former solicitor about the case, but we received no further correspondence.
JAMESTOWN	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.	<input type="checkbox"/> Note: We could only locate one case for Jamestown.
JOHNSTON	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a libel case was sent to the town clerk. We did not receive any response.
LINCOLN	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a letter from the tax assessor notifying us that the case in question had been dismissed by the property owner and that there was no financial settlement.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We received a letter from the town clerk that suggest that we contact the Rhode Island Interlocal Risk Management Trust for information about this case.
LITTLE COMPTON	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a letter from the tax assessor stating that his office had no record of such a case. We verified the existence of the case at the Judicial Records Center.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We received a letter from the town solicitor that stated, " I do not have that information readily at hand in regards to that case."
MIDDLETOWN	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We received a letter from the town clerk that stated that there were no records relating to the case. She suggested that we forward the request to school department. We did so, and did not receive any response.
NARRAGANSETT	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor forwarded the request to the town solicitor who responded with a letter that stated, "as of this date, there has been no settlement of this tax appeal case."	<input checked="" type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We received a letter from the town solicitor who recommended that we forward our request to the school department. The school department telephoned to inform us that the case had been settled and that there was no financial settlement.
NEWPORT	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor contacted us, stating that he had forwarded the request to the city solicitor because the records were not in the his office. Neither official provided us with the settlement of the case.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the city clerk. We did not receive any response.

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NORTH KINGSTOWN	<input type="checkbox"/> A letter requesting the settlement of a contract damages case was sent to the town clerk. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.
NORTH PROVIDENCE	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. She telephoned in pursuit of more information. After we provided the docket number and the date, she stated that she could not find any information regarding the case and that it must not exist. We confirmed the existence of the case through court records.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.
NORTH SMITHFIELD	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a letter from the tax assessor stating that she did not have any information regarding the case in her office. She recommended that we contact the town solicitor or a member of the town council. We were sent this letter after more than three weeks had passed.	<input checked="" type="checkbox"/> A letter requesting the settlement of a real property case was sent to the town clerk. The town clerk replied by mail that she had contacted the town solicitor and learned that there was no settlement with the plaintiff.
PAWTUCKET	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a letter from the tax assessor describing the settlement of the case.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the city clerk. The city clerk telephoned us and said that there was no record of the case in question. We verified the existence of the case at the Superior Court.
PORTSMOUTH	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor forwarded our request to the town solicitor who responded with a letter that described the financial settlement of the case. We received this letter after more than a month had passed.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town treasurer. We did not receive any response.
PROVIDENCE	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor forwarded the letter to the city solicitor's office who telephoned us and said that the case had been settled. He inquired as to our interest in the case and said that his office only disclosed the financial terms of settlements to parties named in the lawsuit. When we did not divulge our interest in the case, he refused to disclose the information.	<input type="checkbox"/> A letter requesting the settlement of a sexual harassment case was sent to the city clerk. We did not receive any response.
RICHMOND	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The letter was forwarded to the town solicitor who telephoned us to inquire about the reasons for our request. The solicitor refused to believe that we had no financial stake in the case, and repeatedly pressured us to give him more information about our interest. He hung up on us after we stated that we were simply interested in obtaining the financial terms of the settlement.
SCITUATE	<input checked="" type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The letter was forwarded to the town solicitor who responded with a letter that stated, "there were no financial terms nor was there any settlement on the part of the Town of Scituate."	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The town solicitor responded with a letter that stated, "If you send me a check in the amount of \$21.50 I will order the file from the warehouse and will then be in a position to answer the inquiry in your letter."

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SMITHFIELD	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a job discrimination case was sent to the town clerk. We did not receive any response.
SOUTH KINGSTOWN	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor promptly provided the information requested.	<input checked="" type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The town clerk sent us a copy of the case file, which included the settlement figure.
TIVERTON	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a letter from the tax assessor stating that the case had been dismissed. We sent a follow up letter to clarify whether or not there was a financial settlement even though the lawsuit had been dismissed. We did not receive a response to the follow up letter.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.
WARREN	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the town tax assessor. The tax assessor responded by mail, and suggested that we redirect our request to the town solicitor. The solicitor forwarded the request to the town manager who responded with a letter stating, "These records are public records and are available through the Rhode Island court system. May I respectfully suggest that you visit the proper court in order to obtain the details of the matter. The Town of Warren feels that you would receive the proper information from the source legally responsible to provide this information to you."	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The town clerk sent us a letter that listed the amount of taxes owed by the plaintiff to the Town of Warren. We sent another letter to the town clerk to restate our request, and did not receive a response.
WARWICK	<input type="checkbox"/> A letter requesting the settlement of a personal injury case that had been filed against the school department was sent to the town clerk. After realizing that the school department was the primary defendant, we forwarded the request to the school department. We did not receive a response.	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a letter from the tax assessor that listed the financial terms of the settlement.
WEST GREENWICH	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. We did not receive any response.
WEST WARWICK	<input type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We did not receive any response.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the town clerk. The town clerk responded by mail, stating that, "review of the records in this office does not reveal the existence of any information regarding this matter."
WESTERLY	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. The tax assessor responded that there were no financial terms of the settlement because the plaintiff did not pursue the litigation. We called the tax assessor to clarify the response and were told that there had in fact been a settlement.	<input checked="" type="checkbox"/> A letter requesting the settlement of a contract damages case was sent to the town clerk. The town clerk sent us a copy of the judgment, which listed the financial terms of the settlement.
WOONSOCKET	<input checked="" type="checkbox"/> A letter requesting the settlement of an excessive tax case was sent to the tax assessor. We received a letter that described the financial terms of the settlement.	<input type="checkbox"/> A letter requesting the settlement of a personal injury case was sent to the city clerk. The city clerk forwarded the request to the city solicitor who responded that their file "does not have documentation regarding a settlement of this matter." He suggested that we contact the clerk of the Kent County Superior Court for the information.