



Indemnification Policy

Purpose

The St. Charles Public Library is required by law (under the Illinois Tort Immunity Act) to provide legal defense and indemnification for employees and board members acting within the scope of their official duties. This policy summarizes those protections.

General Protection

To the fullest extent allowed by the Illinois Constitution and applicable law (including 745 ILCS 10/2-302 and 10/9-102), the St. Charles Public Library will indemnify, defend, and hold harmless its current and former elected and appointed officials, officers, and employees against any civil, criminal, or administrative claims, suits, or proceedings—whether filed or threatened—based on actions, errors, or omissions that could reasonably be considered part of their official duties.

This protection includes:

- Judgments, fines, and liabilities
- Costs and expenses, including attorney's fees
- Amounts paid in settlements
- Expenses related to investigation, defense, or resolution of claims

Exceptions

The Library will not provide defense or indemnification in the following situations:

1. When the individual is found to have acted in bad faith, with actual malice, or engaged in willful and wanton misconduct outside the scope of their official duties.
2. In any action brought by the Library itself against the individual.
3. In any criminal case where the individual had no reasonable cause to believe their actions were lawful.
4. If the individual fails or refuses to cooperate reasonably with the Library and its approved legal counsel during the investigation or defense.
5. For any settlement or compromise that was not approved by the Library.

Additional Rights

These indemnification rights are in addition to any other legal rights the individual may have. If a protected individual passes away, these rights and benefits extend to their lawful successors.

Adopted: 2/11/2026