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New Jersey Schools Insurance Group

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Keeping Dollars in NJ Classrooms

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On or about April 1, 2016, you will be receiving a slightly different acknowledgement letter on certain claims you report. NJSIG is required on some claims to send out a 'Spoliation' acknowledgment letter. There are claims arising from incidents which involve certain types of evidence that is your responsibility to preserve and not destroy.

'Spoliation of evidence' is the negligent destruction of evidence, whether intentional or inadvertent, that should have been kept when litigation is (or should have been) anticipated. Most claims in which you will receive the 'Spoliation' acknowledgment letter involve Auto, General Liability and Property claims. In some instances, you may receive this type of letter on a Workers Compensation claim. The 'Spoliation' acknowledgment letter contains language instructing you about what to do with "evidence" both physical, paper, and electronic.

We advise districts to be proactive to secure, retain and protect evidence. This will help prevent "spoliation" claims that can arise from missing or tainted evidence. We encourage districts to develop policies on how to secure documents, electronic or paper, once they reasonably believe legal action may occur. Public entities are frequent targets of litigation; therefore, taking time upfront to secure evidence, such as preserving video and preventing the video from being erased, can avoid various potential civil remedies sought by claimants. Taking these steps will help districts avoid these types of claims.

[Click here](#) to view a sample of the Spoliation Acknowledgement Letter. When sent to a district, the second page will need to be returned to NJSIG via e-mail to the following address: claims1@njsig.org.

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