

THE COLLISION THE LAWSUIT

The steps to the court

Person going to sue finds a Plaintiff lawyer.

The lawsuit – Why the Plaintiff is suing.

Plaintiff files the suite to the court

The party that is being sued (Defendant) turns suit over to insurance company.

The insurance company hires a Defendant lawyer.

Plaintiff requests the court to issue an order not use the vehicle in question.

Plaintiff compiles interrogatories. Defendant answers the interrogatories

Both Plaintiff and Defendant should have an expert at this point

Plaintiff requests information about your operation (Discovery)

Defendant responds to discovery requests. If defendant refuses to produce, plaintiff will request a court order.

Court will affirm or deny the requested information.

Defendant will review all information provided by your operation to the plaintiff

Defendant will review all State and federal rules.

Plaintiff will review all information received from the Defendant.

Plaintiff will review all State and Federal rules.

Plaintiff's expert (If they have one at this point) will review the collision site and inspect the vehicle.

Plaintiff could hire an expert(s) to reconstruct the collision, inspect the vehicle and make a written report.

Defendant could hire an expert(s) to reconstruct the collision, inspect the vehicle and make a written report.

Plaintiff will ask their expert (if they have one at this point) to formulate questions for impending depositions.

Defendant will ask their expert (if they have one at this point) to formulate questions for impending depositions.

Depositions can be given to everyone in your system (John Doe 1-100).

Depositions are taken of both Plaintiff and Defense key witnesses.

Plaintiff's expert(s) compiles a written report based on material provided, research and experience.

Defendant's expert(s) compiles a written report based on material provided, research and experience.

Depositions are taken of both Plaintiff and Defense experts.

Defendant Lawyer request for motion for Summary Judgment from the lower court.

Appeal to higher court for Summary Judgment.

Court will try hard to settle the case. If unable to settle out of court:

Court date will be set. Time from collision to court date can be 3-5 years.

Plaintiff lawyer must prove four things in court to win.

- | | |
|--|----------------|
| * TEACHER'S DRIVING STUDENTS IN DISTRICT VEHICLES
POLICIES & PROCEDURES | YES ___ NO ___ |
| * THE DAYS ON WHICH SERVICE WILL BE AVAILABLE. | YES ___ NO ___ |
| * TRANSPORTATION POLICIES & PROCEDURES | YES ___ NO ___ |
| * VEHICLE INSURANCE POLICY | YES ___ NO ___ |
| * WAGE SCALE FOR TRANSPORTATION PERSONNEL | YES ___ NO ___ |
| * WRITTEN JOB DESCRIPTIONS FOR PERSONNEL IN
TRANSPORTATION | YES ___ NO ___ |
| * YEARLY TRANSPORTATION BUDGET | YES ___ NO ___ |
| * HAS ALL THE ABOVE INFORMATION BEEN UPDATED AND
APPROVED BY THE BOARD IN THE LAST TWO YEARS? | YES ___ NO ___ |

Need the following information from other party.

COLLISION report of all school bus personnel in the last 3 years.

- Administrative oversight - (evaluation) of all personnel the last 3 years.
- Any pictures or videos taken by police or school personnel of the COLLISION site or vehicle.
- Copy of (last 4 years) school bus state police yearly inspection reports.
- Copy of all state, school's physical reports on driver.
- Copy of any driver's repair request sheets for the bus one week before the COLLISION date.
- Copy of any reports regarding the school's transportation system.
- Copy of any state reports regarding the school's transportation system.
- Copy of driver's bus inspection form 20 days before and COLLISION date.
- Copy of driver's time sheet for 20 working days before and COLLISION date.
- Copy of drivers driving history for last 5 years.
- Copy of school bus drivers route sheet on the date of COLLISION.
- Copy of work history on the school bus driver.
- Dispatchers daily log sheet
- If driver wears glasses, complete eye history from driver's doctor.
- List of students on the bus at the time of COLLISION,
- List of subjects and attendance at driver's safety meeting each month employed.
- Performance of duties.
- Personnel folder on driver.
- Police COLLISION reports.
- Prior district vehicle COLLISION record.
- Requirements for renewing a school bus license.
- School district complete transportation polices and procedures manual.
- School district driver training program and procedures for new employees.
- School district requirement to drive a school bus.
- School district retraining policy of a driver who has had COLLISION.
- School district training manuals for school bus drivers.
- State training manuals and procedures for school bus drivers.
- The complete state & school's COLLISION file on driver.
- The complete vehicle maintenance, repair jacket regarding the school bus.
- The number of vehicle COLLISIONS the school has had in the last 3 years.
- Training record on driver.
- Was this bus comparable to the bus that the driver drove each day?

POLICIES & PROCEDURES

	ITEMS NEEDED
* COLLISION INVESTIGATION POLICIES & PROCEDURES	YES ___ NO ___
* COLLISION REPORTING POLICIES & PROCEDURES	YES ___ NO ___
* COLLISION REVIEW POLICIES & PROCEDURES	YES ___ NO ___
* ADMINISTRATIVE RESPONSIBILITIES RELATED TO PROGRAM SERVICE.	YES ___ NO ___
* BAD WEATHER DRIVING POLICIES & PROCEDURES	YES ___ NO ___
* CLOSING SCHOOL POLICIES & PROCEDURES	YES ___ NO ___
* COPY OF EACH FORM USED WITHIN THE TRANSPORTATION DEPARTMENT	YES ___ NO ___
* COPY OF NEWS LETTER SENT HOME AT START OF SCHOOL ___	YES ___ NO ___
* COPY OF NEWS STORIES ABOUT DEPARTMENT _____ SCHOOL YEAR	YES ___ NO ___
* DANGEROUS ITEMS ON BUS POLICIES & PROCEDURES	YES ___ NO ___
* DEFINITION OF THE AGENCY'S GOALS AND OBJECTIVES.	YES ___ NO ___
* DESCRIPTION OF ALL TYPES OF TRANSPORTATION PROVIDED.	YES ___ NO ___
* DISPATCHER'S POLICIES & PROCEDURES	YES ___ NO ___
* DISTRICT CROSSING GUARD POLICY & PROCEDURES	YES ___ NO ___
* DRIVER CHANGE OF ROUTE POLICIES & PROCEDURES	YES ___ NO ___
* DRIVER LABOR HOURS POLICY	YES ___ NO ___
* DRIVER OUT OF SERVICE PROCEDURES	YES ___ NO ___
* DRIVER TRAINEE PAID DURING TRAINING POLICY	YES ___ NO ___
* DRIVER TRAINEE TRAINING MANUAL	YES ___ NO ___
* DRIVER TRAINER INSTRUCTOR'S MANUAL	YES ___ NO ___
* DRIVER TRAINING POLICIES & PROCEDURES	YES ___ NO ___
* DRIVERS EMERGENCY POLICIES & PROCEDURES	YES ___ NO ___
* DRIVERS HAND BOOK	YES ___ NO ___
* DRUG AND ALCOHOL TESTING POLICIES & PROCEDURES	YES ___ NO ___
* EACH SCHOOL'S LOADING & UNLOADING POLICIES & PROCEDURES	YES ___ NO ___
* FEDERAL LAWS AND RULES FOR SCHOOL BUSES THAT ARE USED	YES ___ NO ___
* LIST OF BUSES BY, YEAR, MAKE, SIZE	YES ___ NO ___
* LIST OF FILMS, VIDEOS, TRAINING AIDS USED DURING TRAINING	YES ___ NO ___
* LIST OF PERSONNEL IN TRANSPORTATION	YES ___ NO ___
* MONTHLY BUDGET REPORTS	YES ___ NO ___
* ON ROADWAY BUS STOP LOADING, UNLOADING POLICIES & PROCEDURES	YES ___ NO ___
* PERSONNEL DISCIPLINE POLICIES & PROCEDURES	YES ___ NO ___
* PERSONNEL HIRING POLICIES & PROCEDURES	YES ___ NO ___
* PREVENTIVE MAINTENANCE POLICIES & PROCEDURES	YES ___ NO ___
* PARENT HANDBOOK	YES ___ NO ___
* PROCEDURES FOR DETERMINING ELIGIBILITY FOR TRANSPORTATION.	YES ___ NO ___
* SAFE DRIVING AWARD PROGRAM & PROCEDURES	YES ___ NO ___
* SAFE RIDING RULES HANDOUTS TO STUDENTS & PARENTS	YES ___ NO ___
* SAFETY COMMITTEE POLICIES & PROCEDURES	YES ___ NO ___
* SCHOOL BUS SERVICE CONTRACT {IF YOU HAVE CONTRACTOR SERVICE	YES ___ NO ___
* SCHOOL FIELD TRIP TRANSPORTATION REQUEST POLICIES & PROCEDURES	YES ___ NO ___
* SCHOOL STARTING AND CLOSING TIMES.	YES ___ NO ___
* SEXUAL HARASSMENT POLICIES & PROCEDURES	YES ___ NO ___
* SPECIAL STUDENTS I.E.P. POLICIES & PROCEDURES	YES ___ NO ___
* STATE LAWS REGARDING SCHOOL BUSES	YES ___ NO ___
* STATE VEHICLE INSPECTION PROCEDURES	YES ___ NO ___
* STATEMENT OF PHILOSOPHY.	YES ___ NO ___
* STUDENT BUS DISCIPLINE POLICIES & PROCEDURES	YES ___ NO ___
* STUDENT DISCIPLINE POLICIES & PROCEDURES	YES ___ NO ___
* STUDENTS HAZARD WALKING POLICIES & PROCEDURES	YES ___ NO ___