

\*Even though there is federal legislation on volunteer immunity (the "Volunteer Protection Act of 19



**FULLFILLING OUR PROMISES**  
TO THE MEN AND WOMEN WHO SERVED

operation of the vehicle would have also been accompanied by a requirement of “financial responsibility,” i.e., insurance. A DAV department or chapter that operates a local program that involves the transportation of persons in volunteers’ vehicles should take reasonable measures to ensure that the vehicles are insured. **this advice has no bearing on or relevance to the national transportation program, whose volunteer drivers remain covered by the federal government.**

## **2. The Professional License Exception**

“Joe is great with electricity. If current runs through it, he can fix it!” Maybe so, but if Joe is not a licensed electrician, be careful. Joe may be acting with the best intentions, but if he does some wiring work (say in the LVAP program) and burns a veteran’s house down, Joe is not protected under the volunteer statutes. In short, if a license is required, the volunteer must have it.

Aunt Susie may be able to amputate a toe, but if she never went to medical school . . . you get the rest.

**What’s the answer?** Besides being careful and thoughtful, one cannot overestimate the value of appropriate insurance. It is worthwhile to sit down with a good insurance broker (ideally one who represents more than one carrier), explain the scope of your organization’s activities and get recommendations. Chances are, you’ll be advised to consider General Liability Insurance and Directors/Officers Insurance. The premiums, in all likelihood, will be fairly modest. And remember – if you can’t afford to insure a risk, you can’t afford to take it!

One fact that lots of folks forget is that any immunity statute just provides a defense in case you’re sued – it does not prevent the suit. Even if the suit is frivolous, defendants still have to go through a legal process to get the suit dismissed, and that process, involving lawyers and related costs, can be very expensive. *The right insurance policy will cover those defense costs. The policy pays for itself in one case.*

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