

NEWS RELEASE

Arizona Supreme Court
Administrative Office of the Courts



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Arizona Supreme Court Issues Opinion on Compliance with Notice of Claim Requirements

PHOENIX – The Arizona Supreme Court today issued its opinion in *City of Mesa v. Ryan/Rogers*, No. CV-23-0284-PR, regarding the requirements for serving a notice of claim against public entities and employees under A.R.S. § 12-821.01(A). The case, involving claimant Philip Rogers and the City of Mesa, addressed the necessity of specificity in settlement offers within notices of claim required by the statute.

Under A.R.S. § 12-821.01(A), individuals with claims against public entities or employees must provide timely and detailed notices of claim that include a specific settlement amount and the factual basis supporting that amount. The court found that Mr. Rogers’ notice of claim, which offered to settle his personal injury claim against the City of Mesa for “\$1,000,000 or the applicable policy limits, whichever are greater,” failed to meet the statutory requirements for specificity. Because the City is self-insured up to \$3 million but has access to other policies depending on the circumstances, the offer to settle for “applicable policy limits” made it impossible for the City to precisely identify the proposed settlement amount from reading the notice of claim, as required by § 12-821.01(A).

The court concluded that this lack of a clear and specific settlement amount barred Mr. Rogers from pursuing his lawsuit against the City of Mesa and its employee, Gustavo Williams. The decision reinforces the importance of stating an exact monetary figure in the notice of claim as the specific amount for which the claim can be settled.

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This opinion summary is intended solely to notify the public about an Arizona Supreme Court opinion. It is not to be considered an official commentary by the Court or any member of the Court nor may it be cited as legal authority for any reason or purpose. The full opinion is available [here](#) for those seeking details about the court’s reasoning.

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