

Bond Case Briefs

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NOTICE OF CLAIM - ARIZONA

Terborg v. Town of Payson

Supreme Court of Arizona - September 24, 2026 - P.3d - 184 Arizona Cases Digest - 42026 WL 2871550

Citizen brought personal injury action against town, police department, police officer, and officer's spouse, alleging negligence after police canine attacked and bit citizen, who was a bystander, while police officer and canine were in pursuit of a suspect in vicinity of citizen's residence.

The Superior Court granted town summary judgment. Citizen appealed. The Court of Appeals vacated and remanded. Town petitioned for review.

The Supreme Court held that:

- Citizen's offer to settle personal injury claim against town, police department, and others for "one hundred thousand dollars (\$250,000)" did not state a "specific amount" for which the claim could be settled;
- Strict compliance, rather than substantial compliance, with notice-of-claim statute's requirement that a notice of claim against a public entity contain a specific amount for which the claim could be settled, was required;
- Courts and public entities were not required to apply contract principles or canons of construction to cure any ambiguity in citizen's offer to settle personal injury claim; and
- Public policy did not require town or the police department to investigate the meaning of citizen's notice-of-claim.