



Missouri Highways and Transportation Commission Policies

Category: LEGAL ISSUES
Subcategory: Delegation of Authority

AUTHORITY TO APPROVE AND EXECUTE LEGAL DOCUMENTS AND RETAIN PROFESSIONAL SERVICES

All documents below are excepted from attestation by the Secretary to the Commission.

1. **Pleadings and Settlement Authority:** The Chief Counsel, or others designated by the Chief Counsel, may execute any pleading, motion, notice, stipulation, agreement, release, covenant not to sue, or other instrument in connection with court or agency proceedings to which the Commission, the department, a department or Commission employee, or a Commissioner is a party.
2. **Expert Witness/Consultant Services:** The Chief Counsel, or others designated by the Chief Counsel, may execute contracts and expend funds for procurement of expert witnesses, consultant services, alternate dispute resolution services, and other services in the amount of \$200,000 or less.
3. **Private Counsel:** The Chief Counsel, or others designated by the Chief Counsel may execute contracts and expend funds for procurement of private counsel services in the amount of \$200,000 or less per year with any individual law firm in the following areas:
 - a. Condemnation.
 - b. Fleet vehicle liability.
 - c. General liability.
 - d. Human resources.
 - e. Property damage.
 - f. Workers' compensation and workers' compensation subrogation.
 - g. Other cases in which the Chief Counsel determines that such representation will further the interest of the Commission; however, a representation which in the opinion of the Chief Counsel is not routine and is unique or sensitive will be discussed with the Commission before counsel is retained.

Effective Date: April 3, 2012 – EOD, Paragraph I
Supersedes Policy Dated: January 12, 2011 - EOD
Last Reaffirmed: November 7, 2013
Date of Origin: _____

Related Commission Minutes for Private Counsel: Condemnation Cases - May 13, 1924; December 16-17, 1954; Eminent domain - December 4, 1997; Out-of-State Collections - April 16, 1970; June 4, 1982; December 11, 1987
Risk Management - November 7, 1997.
January 12, 2011-EOD; April 3, 2012-EOD; November 7, 2013 – Comprehensive Policy Review.