


CITY COMMISSION POLICY

 GRAND RAPIDS MICHIGAN	NUMBER: 200-04	HISTORY	
	DATE: February 21, 1984	FILE #	DATE
	FILE NUMBER: 43072	54803	06/18/91
	DEPARTMENT: LAW	81797	09/25/12

SUBJECT: LITIGATION AUTHORITY AND PROCEDURE

PURPOSE: To establish a procedure for the handling of all civil litigation involving the City of Grand Rapids and to grant the City Attorney settlement authority up to \$15,000.00 in amount.

POLICY:

1. All matters of civil litigation involving the City of Grand Rapids and/or its employees and officers shall be handled under the direction and control of the City Attorney.
2. Each officer and employee shall be provided legal counsel where the civil litigation alleges actions or inactions by said officer or employee which arose out of and in the course of their employment and which acts are determined by the City Manager to constitute neither an ultra vires (unauthorized) act, the intentional infliction of an injury, a grossly negligent act, willful misconduct, or actions taken under the influence of alcohol.
3. Each employee and officer, upon receipt of any court document, including a summons and complaint or a subpoena, should immediately inform the City Attorney of that fact. The City Attorney will counsel and direct each employee and officer from that time forward.
4. In addition to the contracting authority granted by the City's Administrative Policy for Professional Services Contracting (73-09), the City Attorney is hereby authorized to incur expenses up to \$5,000 per item necessary to the preparation of the City's case, including but not limited to costs of investigation, depositions, medical examinations, reports, expert witnesses, court reporters, transcripts, demonstrative evidence, title searches, court filing fees, printing services, and arbitrator's fees.

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5. The City Attorney may recommend to the City Commission the employment of outside counsel to represent the City's interest whenever he/she believes that such action is necessary under the circumstances or is simply in the City's best interest.
6. The City Attorney is hereby authorized to settle any matter of civil litigation on behalf of the City of Grand Rapids in an amount not to exceed \$15,000.00.
7. With regard to litigation matters where the City is named as a Plaintiff, the City Attorney is hereby authorized to accept a settlement offer in any amount deemed fair and equitable by the City Attorney at his or her sole discretion, provided however, that such compromised settlement shall not represent a compromise in the City's demand of more than \$15,000. For compromised settlements representing a reduction in the amount demanded by the City from the Defendant of more than \$15,000, the City Attorney must first obtain the consent of the City Commission.