

POLICY

Series:	Governance	COA: GOV 6 CFOP: N/A
Procedure Name:	Settlement Authority	
Procedure Number:	GOV209	
Revision #/Date:	2/03/2020, 5/26/2021, 4/21/2022, 5/23/2023	
Review Date:	5/27/2021, 4/14/2022, 4/20/2023	
Effective Date	6/1/2016	
Applicable to:	Brevard Family Partnership Family of Agencies (BFP FOA) Board of Directors and All BFP FOA Staff	

PURPOSE: The purpose of this procedure is to ensure an authorized agent(s) of the Agency have been identified and approved by the BFP Governance Board of Directors to appear on behalf of the agency at mediation and/or bind the Agency for settlement of lawsuits involving the Agency.

References: Florida Rules of Civil Procedure Rule 1.720

Definitions: "Party representative having full authority to settle" - the final decision maker with respect to all issues presented by the case who has the legal capacity to execute a binding settlement agreement on behalf of the party.

PROCEDURE:

If the agency becomes a plaintiff or defendant in a lawsuit, the matter will be presented to the BFP Governance Board of Directors at a scheduled Executive Session. The BFP Governance Board of Directors will be apprised of the facts of the case and provided with updates regarding the stages in the litigation.

In every case in which there is a mediation conference, the BFP Governance Board of Directors will be informed of the mediation conference and the potential for settlement. The case will be presented to the BFP Governance Board of Directors prior to executing a settlement agreement that would bind the Agency.

A party representative having full authority to settle without further consultation must be present at a mediation conference as required by Florida Rule of Civil Procedure 1.720. It is the duty of the Board of Directors to designate the authorized representative(s) of the agency who is/are knowledgeable about the case and will act in the Agency's best interest.

The Agency representatives who have been granted authority to act on behalf of the Agency include:

- The President and Chief Executive Officer or designee in the unanticipated absence of the President and Chief Executive Officer
- The Chief Legal Officer

Any settlement agreement on behalf of the Agency will be signed by the authorized representative in order to be valid and binding on the Agency.

Approved by the Brevard Family Partnership Board of Directors on May 25, 2023.

AS APPROVED BY THE BOARD OF
DIRECTORS:



DANIEL P. RODGERS
Board Chair

Signature Date: 6/8/2023

BY DIRECTION OF THE PRESIDENT AND
CHIEF EXECUTIVE OFFICER:



PHILIP J. SCARPELLI
President and Chief Executive Officer
Brevard Family Partnership / Family of Agencies

Signature Date: 6/7/2023