

POLICY

Series:	Governance	COA: GOV 6
		CFOP: N/A
Procedure Name:	Settlement Authority	
Procedure Number:	GOV-209	
Revision	(1)02/03/2020, (2) 5/26/2021	
#/Date:Effective	6/1/2016, 5/27/2021	
Date:		
Applicable to:	Brevard Family Partnership (BFP) Board of Directors and All BFP Family of Agencies (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 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 Board of Directors at a scheduled Executive Session. The 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 Board of Directors will be informed of the mediation conference and the potential for settlement. The case will be presented to the BFP 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 CEO or CEO’s designee in the unanticipated absence of the CEO
- 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 27, 2021.

AS APPROVED BY THE BOARD OF DIRECTORS:

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

BARBARA J. LOFTUS
Board Chair

PHILIP J. SCARPELLI
Chief Executive Officer

Signature Date: 6/11/2021

Signature Date: 6/11/2021