

09.04 Litigation

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Policy Statement

The Texas A&M University System (system) Office of General Counsel shall provide periodic reports to the Board of Regents (board) and chancellor concerning the status of pending litigation. This policy also addresses delegation of authority for the settlement of litigation and disputed claims.

Reason for Policy

This policy specifies the requirements for disclosing pending litigation to the board and the delegation of authority for settlement.

Procedures and Responsibilities

1. The general counsel will inform the board with regard to all lawsuits filed by or against the board, the system or one or more of its members and of all lawsuits filed by or against officers, employees, or agents of those entities acting in their official capacities, or in their individual capacities if the suit arises from their official acts. The general counsel will provide periodic reports to the board and chancellor about the status of pending litigation, the resolution of any lawsuit, and the settlement of any claim.
2. Approval to file lawsuits or settle disputed claims asserted by or against the board, the system or one or more of its members, or claims against officers, employees, or agents of those entities acting in their official capacities, or in their individual capacities if the suit arises from their official acts, shall be within the following limits per individual per occurrence:

Up to and including \$100,000	General Counsel
Over \$100,000 and up to and including \$300,000	Chancellor
Over \$300,000	Board of Regents

3. All settlements shall have the concurrence of the chief executive officer of the relevant system member and the general counsel and, where required, shall have the approval of the Office of the Attorney General.
 4. Any individual who is named as a party to a lawsuit in his/her individual capacity and who also has authority to settle or agree to the settlement of such suit on behalf of the system must beforehand fully disclose his/her status to those whose concurrence to settle is required. A member of the board who is sued in his/her individual capacity must disclose such fact to the board.
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Related Statutes, Policies, or Requirements

System Regulation *09.04.01, Legal Counsel and Attorney General Opinion Requests*
<http://tamus.edu/offices/policy/policies/pdf/09-04-01.pdf>

Contact Office

The System Office of General Counsel
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