

CORPORATION OF THE DISTRICT OF MAPLE RIDGE

TITLE: *LITIGANTS' REPRESENTATIONS WITH COUNCIL*

POLICY NO. *5.26*

APPROVAL DATE: *October 17, 1994*

POLICY STATEMENT:

- 1) Council, including individual members of Council, shall not communicate upon or attempt to negotiate with any party on matters in litigation or where notice of an action has been served on the district;
- 2) Litigants shall not be scheduled to appear before Council as a delegation unless such delegation is approved by Council or the Mayor and all parties are represented by legal counsel;
- 3) Council may waive by majority vote this policy where unusual circumstances dictate, provided:
 - a) the lawyers for all parties consent
 - b) any meetings held between the parties shall be clearly understood to be on a without prejudice basis; and
 - c) any understandings reached as between the parties shall be non-binding until confirmed by each party's lawyer.

PURPOSE:

This policy is required to address the issue of litigants appearing before Council given the legal rule of practice that parties to a lawsuit must not discuss the lawsuit amongst themselves except in the presence of their legal counsel.

DEFINITIONS:

Litigant means a person who is suing the Municipality.