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**Rules of  
Elected Officials  
Division 60—Attorney General  
Chapter 14—Legal Expense Fund Coverage**

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**Title 15—ELECTED OFFICIALS**  
**Division 60—Attorney General**  
**Chapter 14—Legal Expense Fund Coverage**

**15 CSR 60-14.010 Definitions**

*PURPOSE: This rule defines terms used in section 105.711, RSMo, as amended by Senate Bill No. 1247, 92nd General Assembly (2004).*

(1) “Agency”—an agency of any federal, state, or local government.

(2) “Agency of any federal, state, or local government”—a governmental agency located in the state of Missouri, existing under and deriving its powers from the federal or state constitution or federal or state law.

(3) “Center”—a nonprofit community social services center.

(4) “Licensed attorney”—a member of The Missouri Bar, including a member exempt from the payment of bar dues pursuant to Supreme Court Rule 6.01(d)(1), (2) or (3), but not including an attorney in the reduced enrollment fee category of Supreme Court Rule 6.01(j)(3).

(5) “Nonprofit community social services center”—a nonprofit corporation, a benevolent corporation or an unincorporated association that provides legal services without charge to or on behalf of poor or indigent Missouri residents, that has applied for tax-exempt status under section 501(c)(3) of the *Internal Revenue Code* and has received a determination letter from the Internal Revenue Service recognizing the organization’s tax-exempt status.

*AUTHORITY: section 105.711.4, RSMo Supp. 2004.\* Emergency rule filed Sept. 2, 2004, effective Sept. 12, 2004, expired March 10, 2005. Original rule filed Sept. 2, 2004, effective April 30, 2005.*

*\*Original authority: 105.711, RSMo 1983, amended 1987, 1989, 1990, 1993, 1995, 1999, 2004.*

**15 CSR 60-14.020 Contract Procedures**

*PURPOSE: This rule prescribes contract procedures for purposes of section 105.711, RSMo, as amended by Senate Bill No. 1247, 92nd General Assembly (2004).*

(1) An attorney practices law at or through a nonprofit community social services center or through any agency of any federal, state, or local government if:

(A) The attorney provides to the center or agency in writing his or her name, address, place of employment, if any, daytime telephone number and Missouri Bar number;

(B) The attorney is assigned clients, cases or matters by the center under procedures adopted by the center or agency, not to include clients assigned by court order;

(C) The attorney has no preexisting attorney client relationship with any client under which a fee has been collected or contracted for;

(D) The attorney agrees in writing at the outset of any representation or consultation that no fee will be charged, sought or accepted for representation or consultation regardless of the outcome of the representation or consultation; and

(E) The attorney does not discriminate in providing legal services on the basis of race, sex, religion, national origin or ethnic background.

(2) An attorney practices law without compensation at or through a nonprofit community social services center or through any agency of any federal, state, or local government if:

(A) Neither the attorney nor the center receives, or contracts for the receipt of a fee, donation or contribution of money, goods, services or any other thing of value in any way related to the attorney’s legal representation;

(B) The attorney does not receive a salary, hourly wage or any other thing of value from the center or agency;

(C) The attorney does not receive a salary, hourly wage or any other thing of value from any person, firm, corporation, partnership or any other source in any way related to the attorney’s practice of law at or through the center or agency; and

(D) No other individual or entity, other than the client and/or his or her heirs, assigns and beneficiaries, receives anything of value in any way related to the attorney’s services at or through the center.

*AUTHORITY: section 105.711.4, RSMo Supp. 2004.\* Emergency rule filed Sept. 2, 2004, effective Sept. 12, 2004, expired March 10, 2005. Original rule filed Sept. 2, 2004, effective April 30, 2005.*

*\*Original authority: 105.711, RSMo 1983, amended 1987, 1989, 1990, 1993, 1995, 1999, 2004.*

**15 CSR 60-14.030 Documentation of Legal Practice**

*PURPOSE: This rule prescribes procedures for documentation of legal practice for purposes of section 105.711, RSMo, as amended by Senate Bill No. 1247, 92nd General Assembly (2004).*

(1) A nonprofit community social services center through which any attorney practices law without compensation shall provide a copy of its federal tax exemption letter or other verification of tax-exempt status under section 501(c)(3) of the *Internal Revenue Code* to the Attorney General.

(2) For each attorney who provides legal services without compensation at or through a nonprofit community social services center or through any agency of any federal, state, or local government, the center or agency shall annually during the month of June provide to the Attorney General:

(A) The attorney’s name, address, and daytime telephone number;

(B) The attorney’s Missouri Bar number or other evidence that the attorney is licensed to practice law in Missouri;

(C) An estimate of the number of hours per year of legal services provided without compensation by the attorney through the center or agency;

(D) A general description of the area of practice engaged in by the attorney.

(3) An attorney practicing law at or through a nonprofit community social services center may maintain records documenting client representation or consultation at the center if, in the attorney’s professional judgement, the center has a physical location with record keeping capabilities adequate to preserve the records and to safeguard attorney client confidences. If the center does not have an adequate physical location, the attorney shall maintain such records at his or her place of business, home or other location appropriate for securing client records.

(4) Documentation of coverage shall be maintained by the Attorney General.

*AUTHORITY: section 105.711.4, RSMo Supp. 2004.\* Emergency rule filed Sept. 2, 2004, effective Sept. 12, 2004, expired March 10, 2005. Original rule filed Sept. 2, 2004, effective April 30, 2005.*

*\*Original authority: 105.711, RSMo 1983, amended 1987, 1989, 1990, 1993, 1995, 1999, 2004.*



**15 CSR 60-14.040 Claims by the Boards of Police Commissioners of St. Louis and Kansas City**

*PURPOSE: This rule prescribes procedures for requesting representation for purposes of section 105.726, RSMo, as amended by Senate Bills 420 and 344, 93rd General Assembly 2005.*

(1) All requests for representation pursuant to section 105.726.4, RSMo, must come from the Board of Police Commissioners of St. Louis or Kansas City, or their designees. The name and title of any designee must be provided by the Board to the Chief Counsel, Litigation Division, Attorney General's Office (AGO).

(2) All requests for representation must be made to:

(A) For lawsuits and non-automobile accident claims: Chief Counsel, Litigation Division, AGO, PO Box 899, Jefferson City, MO 65102; or fax (573) 751-9456 (with original to follow).

(B) For automobile accident claims: Office of Administration, Risk Management, PO Box 809, Jefferson City, MO 65102; or fax (573) 751-7819 (no original to follow).

(3) All requests for representation must be made within the following time frames:

(A) For lawsuits: within five (5) business days after the board receives service of summons or waiver of service forms, or within five (5) business days after notice to the board that an individual for whom the board seeks representation has received service of summons or waiver of service forms;

(B) For non-automobile accident claims: within five (5) business days of notice of the claim, but sooner whenever possible;

(C) For automobile accident claims: within ninety-six (96) hours, or four (4) business days, of the accident, but sooner whenever possible.

(4) All requests for representation must be made in the following manner.

(A) For lawsuits and non-automobile accident claims:

1. A letter requesting representation which includes the following information:

A. The individual or entity for whom board is requesting representation;

B. The date service was obtained (in cases involving summons), the date the waiver of service form was received (in cases involving waiver of service forms), or the date when notified of the claim (in cases

involving non-automobile accident claims); and

C. The street address, telephone number and any other relevant contact information for the individual or entity to be represented;

2. The following items must be attached to the letter requesting representation:

A. The summons and petition or complaint and any other documents delivered with the summons (in cases involving summons);

B. The waiver of service form and petition or complaint and any other documents which accompanied the waiver of service form (in cases involving waiver of service forms);

C. The notice of the claim and any police report regarding the incident, if available (in cases involving non-automobile accident claims). If the police report is not available at the time the letter is sent, it must be sent as soon as it is available.

(B) For automobile accident claims: a completed claim form (available from the AGO) and the police report regarding automobile accident, if available. If the police report is not available at the time the letter is sent, it must be sent as soon as it is available.

(5) All persons or entities represented shall cooperate with the attorneys and risk management specialists conducting investigations and preparing any defense by assisting such attorneys and risk management specialists in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witnesses to attend hearings and trial. Failure to cooperate, including failure to communicate as set forth above, will be cause for the AGO or the Office of Administration to decline or withdraw from representation. The AGO or the Office of Administration will promptly notify the board of any perceived failure to cooperate, and give the board an opportunity to respond to the notification and/or rectify the situation, before making the determination whether to decline or withdraw from representation.

(6) Payment of all tendered claims will be submitted by the AGO or the Office of Administration, Risk Management to the Board of Police Commissioners of St. Louis or Kansas City, or their designees upon settlement of a claim. Payment must be issued within ten (10) business days of payment request and returned to the AGO or the Office of Administration, Risk Management for disposition of settlement.

(7) Reimbursement up to a maximum of one (1) million dollars per fiscal year for each board of police commissioners established under Chapter 84, RSMo, pursuant to section 105.726.3, RSMo, shall occur at the end of each quarter following submission to the Chief Counsel, Litigation Division, AGO, PO Box 899, Jefferson City, MO 65102, of disbursement vouchers and supporting documentation (judgment or settlement documents) for claims paid during that quarter.

*AUTHORITY: section 105.726.4, RSMo Supp. 2005.\* Emergency rule filed Oct. 7, 2005, effective Oct. 17, 2005, expired April 14, 2006. Original rule filed Oct. 7, 2005, effective May 30, 2006.*

*\*Original authority: 105.726, RSMo 1983, amended 2005.*