

**OFFICE OF THE COUNTY EXECUTIVE****JACKSON COUNTY COURTHOUSE**415 EAST 12TH STREET
KANSAS CITY, MISSOURI 64106(816) 881-3333
Fax: (816) 881-3133**July 21, 2025**

Dear Members of the Jackson County Legislature,

I am writing to express serious legal and procedural concerns regarding Resolution No. 21976, which was provided to my office only shortly before today's meeting. Because the resolution has only now been made available, neither the public nor County departments have had a fair opportunity to evaluate its implications.

First and foremost, the Jackson County Legislature is not a party to any current litigation. No lawsuit currently exists naming the Legislature as a plaintiff or defendant. While the County Clerk is a named party in her official capacity, she is not an adversary to the County or the County Executive. Her role in the matter is ministerial, not discretionary, meaning she is obligated to follow the law without inserting her own interpretation or policy judgment. This principle is well-established in Missouri case law, including *Missourians to Protect the Initiative Process v. Blunt*, where the Missouri Supreme Court reaffirmed that election authorities are required to perform their statutory duties and may not engage in subjective decision-making.

The resolution also appears to acknowledge a possible violation of Missouri's Open Meetings and Records Law (Sunshine Law) by stating that the Chair selected an attorney "after consultation with other legislators." If those consultations occurred outside a properly noticed meeting, they may constitute an unlawful meeting under Chapter 610, RSMo., creating legal exposure for both individuals and the County.

In addition, the Jackson County Charter does not authorize the Legislature to initiate litigation or retain outside counsel for such purposes. That authority is expressly reserved for the County Counselor, who represents the County and its officials. Attempting to bypass this structure not only undermines the Charter but also risks invalidating the very legal actions you seek to pursue.

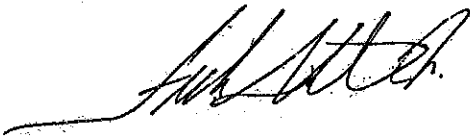


Furthermore, the resolution claims that attorney qualifications were compared, but no alternative candidates are named, no criteria are provided, and no transparent process is described. This raises serious concerns regarding procurement practices and public accountability. Compounding these issues, no fiscal note accompanies the resolution, and no funding source has been identified for the legal services it seeks to authorize. Without this information, the full financial impact on County operations and taxpayers remains unknown.

Lastly, the measure is framed as a resolution, not an ordinance. Actions involving the authorization of legal counsel and potential litigation—especially those with financial implications—typically require the force and formality of an ordinance to be valid and enforceable under County law.

I urge the Legislature to reconsider moving forward with Resolution No. 21976 until these significant legal, procedural and fiscal questions are fully addressed. My office remains ready to collaborate in a transparent and lawful manner to resolve legitimate concerns in the best interest of Jackson County and its residents.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frank White, Jr.", with a long horizontal flourish extending to the left.

Frank White, Jr.
Jackson County Executive