# 5133.212-90 Appeal procedures.

(a) For purposes of this section and DFARS Appendix A, the Army Chief Trial Attorney or the Engineer Chief Trial Attorney performs the duties and responsibilities of the Chief Trial Attorney as follows:

(1) In accordance with Army Regulation (AR) 27-1, the Army Chief Trial Attorney appointed by the Judge Advocate General is the authorized representative of the Secretary of the Army with sole authority and responsibility for the conduct and control of litigation of contract disputes for all Department of the Army cases docketed with the ASBCA, except for United States Army Corps of Engineers (USACE) cases described in (2) and (3).

(2) The Engineer Chief Trial Attorney, appointed by the USACE Chief Counsel, is the authorized representative of the Secretary of the Army and has sole authority and responsibility for the conduct and control of litigation of contract disputes for all USACE cases docketed with the ASBCA of a value of less than $3 million

(3) The Director, Litigation Division, U.S. Army Legal Services Agency may determine, on a case-by-case basis, to delegate USACE cases of a value of $3 million or more to the Engineer Chief Trial Attorney.

(b) All contract disputes addressed in this section remain subject to the litigation oversight authority and responsibility of the General Counsel of the Department of the Army.

**Parent topic:** 5133.212 Contracting officers duties upon appeal.