

REQUESTS FOR LEGAL ASSISTANCE

Purpose:

To establish uniform guidelines for requesting legal opinions, assistance, contracts, resolutions, etc., from the district attorney or any other attorney approved by the Board of Trustees.

Definitions:

District Attorney - A person legally appointed by the district to act as the agent in the transaction of business, specifically one qualified and licensed to act for plaintiffs and defendants in legal proceedings

Statement of Policy:

It is the policy of the district that all requests for legal assistance which require a written response (opinion, resolution, contract, etc.) shall be processed through the Chain of Command, with final approval by the Chief.

Exceptions:

- A. These policies and guidelines shall not apply to requests made by motion of the Board of Trustees.
- B. These policies and guidelines shall not apply to routine matters that can be addressed over the phone or in person without a formal written response. However, any such inquiries will be approved prior to the phone call by the Chief.
- C. Claims filed by any attorney, based on his/her independent actions, that commit the district to payments when the opinion, action, or response was not solicited, may be denied.

Guidelines for Written Requests

- A. All requests shall be documented on a district "Request for Legal Assistance Form".
- B. All requests shall include:
 - 1. Name of attorney to whom the request is being made.
 - 2. Name of district member requesting action.
 - 3. Subject of request.
 - 4. Response time or date needed.
 - 5. Description of action requested.
 - 6. Copies of any relevant documents, such as draft contracts, resolutions, etc.

- C. Requests must be sent through the appropriate Chain of Command, with final approval by the Chief. Approval must be received before legal work is undertaken.
- D. The attorney will return all written responses to the Chief, who will note the response and disseminate to the person initiating the request.
- E. The Chief will review that status of pending items with the district attorney, or other approved attorney, on a periodic basis, as needed.
- F. A copy of all attorney opinions shall be maintained in the district central files.