

POLICY

SOMERSET COUNTY
BOARD OF EDUCATION

Date Submitted: February 16, 1999	Number: 100-18
Date Reviewed: February 21, 2006 October 21, 2008	
Subject: Board Attorney Appointment/Fees	Date Approved: March 16, 1999 March 21, 2006 November 18, 2008 Date Revised: September 16, 2008 Date Effective: July 1, 1999 March 21, 2006 November 18, 2008

1. PURPOSE

The purpose of the policy is to describe the process for attorney selection and the establishment of fees.

2. BOARD ATTORNEY APPOINTMENT

- A. Retain Attorney** - The Board of Education of Somerset County will retain an attorney for legal counsel and related services.
- B. Appointment/Reappointment** - The attorney to the Board of Education will be appointed or reappointed each January for the subsequent fiscal year. In order to provide an opportunity for firms or attorneys to apply periodically for the position, the Board will adhere to the following selection procedures at a minimum of every five (5) years:
- (1) A general advertisement will be placed seeking firms interested in serving as the Board's legal counsel.
 - (2) Law firms within the county will be contacted by letter to determine interest in being considered.
 - (3) A request for qualifications will be sent to firms that indicate an interest.
 - (4) Firms expressing an interest will be interviewed by a committee consisting of a quorum of Board members and four (4) staff members.
- C. Retainer Fees** - Retainer fees for general services will be set at the time of appointment, when arrangements will also be made for additional compensation for special services.
- D. Knowledge of School Law** - The Board attorney will be sufficiently familiar with the requirements of the school laws of the state to enable him/her to offer the necessary advice.

Somerset County Board of Education
Policy # 100-18
Page 2

E. Services - The Board Attorney will attend meetings of the Board upon request and provide counsel to the Superintendent of Schools and Board officers as needed.

The attorney's services will include, but not be limited to:

- (1) Furnishing general legal advice in policy development and on relations with employees, employee organizations, students, parents, county residents and other governmental and non-governmental groups and agencies;
- (2) Aiding the well-being of the school system; and
- (3) Rendering services related to impending or actual litigation involving the school system as a whole or any unit, individual or groups of individuals connected with the schools.

F. Decision to Seek Legal Service - A decision to seek legal advice or assistance on behalf of the school system will normally be made by the superintendent. However, Board members can also seek assistance, if required, but shall apprise the superintendent of such activity. Such action will be taken as consistent with Board policy and as it meets an obvious need of the school system. It may take place as a consequence of formal Board direction.