

Harney Education Service District

Code: **BCG**
Adopted: 12/11/12
Readopted: 12/12/12
Orig. Code(s): BCG

Board Legal Counsel

The Board may appoint an attorney to advise and represent the ESD. The appointment will be for one year on a fee basis, with reappointment subject to a vote of the Board.

The Board's attorney will be the chief legal advisor to the ESD. It is his/her responsibility to:

1. Be present as requested at meetings of the Board and committees;
2. Advise the Board and its officials when requested to do so on legal matters;
3. Advise the Board and superintendent on points of law where the rights and liabilities of the ESD may be affected;
4. Prepare legislation to be enacted by and for the ESD;
5. Prosecute legal actions brought by the Board and defend legal actions brought against the Board;
6. Investigate and report on accident claims and other claims made against the ESD.

A decision to seek legal advice or assistance on behalf of the ESD will normally be made by the Board chair or the superintendent. It may take place as a consequence of formal Board direction.

Legal assistance of a routine nature will not need specific Board approval. When the superintendent concludes that an unusual type or amount of legal service may be required, the Board directs the superintendent to advise the Board of such need and to seek either initial or continuing authorization.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)
[ORS 334.225](#)