



Policy

UNIVERSITY POLICY GC-03.01-4/19

TO: The University of West Florida Community

FROM: Dr. Martha D. Saunders, President

SUBJECT: Retention of External Legal Counsel, Legal Process and Responding to Communications from Attorneys and Court Officials

Responsible Office: Office of the General Counsel

I. Policy Statement


- A. The Office of the General Counsel shall be responsible for the provision of all legal advice, counsel and representation for matters involving the University or matters within the official responsibilities of any officer or employee of the University. Attorneys working for the University, but not in the Office of the General Counsel are not authorized to render legal advice, legal counsel or legal representation for matters involving the University or matters within the official responsibilities of any officer or employee of the University. External legal counsel may be retained only through the Office of the General Counsel and where appropriate to protect the University's legal interests. All contact with external counsel shall be under the auspices and at the direction of the General Counsel. The General Counsel shall review and, when appropriate, approve all invoices or requests for payment from external legal counsel.
- B. The General Counsel in consultation with the appropriate university administrators shall approve strategic and tactical decisions in legal matters.
- C. This policy does not contravene the authority of the members of the University of West Florida Board of Trustees to retain outside counsel under appropriate circumstances via approval of a corporate resolution so specifying.

II. Procedures

- A. The Chair of the University of West Florida Board of Trustees is the duly authorized individual to accept a Summons and Complaint. Employees of the University shall not accept or receive legal process.
- B. All University employees are required, as soon as practicable, to seek the advice of the Office of the General Counsel regarding compliance with and response to a letter from a

lawyer or court officials, or attempts to serve legal process on an employee related to the University.

- C. All subpoenas requiring either the personal appearance of a University employee for testimony relating to employment at the University in his/her capacity as such or the production of University documents or records shall be shared with the Office of the General Counsel
- D. Normally, external legal counsel shall be engaged only for those matters that require specialized expertise. Requests for retention of external legal counsel shall be made to the General Counsel by the President or the appropriate vice president.
- E. In overseeing an external legal counsel's representation, the General Counsel will use the following guidelines:
 - 1. That outside counsel is accountable for the cost-effective management of the assigned legal matter;
 - 2. That outside counsel devotes the time and skill level appropriate to the tasks at hand;
 - 3. That outside counsel's fees, costs, and disbursements are reasonable and are submitted for payment in writing;
 - 4. That outside counsel complies with the applicable rules of professional conduct and applicable ethical standards;
 - 5. That outside counsel submits legal documents for review, as requested by the General Counsel, sufficiently in advance for meaningful review prior to filing or service; and,
 - 6. That outside counsel provides the General Counsel significant documents and court rulings related to assigned legal matters.
- F. The Office of the General Counsel must be copied on all correspondence between the departments and outside counsel in order to maintain a central file on all legal matters.

Approved by: 
Dr. Martha D. Saunders, President

Date: 4.23.19