

BY-LAW

SOLICITOR

The Solicitor of the Board of Education shall be the legal adviser of the Board and its officers in questions related to their official duties.

The Solicitor shall:

1. Act as counsel for the Board in prosecuting or defending any action or suit to which the Board is party;
2. Give a written opinion on all legal questions as requested, consistent with File Code: 3327;
3. Be accessible for consultation with the Board President, Superintendent and the School Business Administrator/Board Secretary concerning legal matters;
4. Attend board meetings, conferences and other meetings as requested by the Board, Superintendent, Board president or Board committee; and
5. Fulfill such other legal duties as the Board may assign.

The compensation of the solicitor shall be approved annually at the organization meeting when he/she is appointed.

To ensure the prudent and cost-effective use of legal services, the District will limit and designate the persons with the authority to request services or advice from the Solicitor and any other contracted legal counsel. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as Board policies and regulations. Requests for legal advice will be made in writing, unless it is impractical or impossible to do so. Contact logs and records may be kept and reviewed to determine that the requests for legal advice are necessary. Advance payments for legal services are prohibited. Services shall be described in detail and invoices for payment shall be itemized. Payment shall only be for services actually provided.

Date: January 18, 1983

Date Revised: February 23, 2009

Legal References:

N.J.S.A. 18A:12-20

Indemnity of members of boards of education against cost of defense of civil and criminal action; insurance coverage

N.J.S.A. 18A:16-1

Officers and Employees in General

N.J.S.A. 18A:24-13.1

Attorney's compensation

N.J.A.C. 6A:23A-5.2

Public relations and professional services; board policies; efficiency

Possible

Cross References:

File Code: 3327

Relations with Vendors