

Bylaws of the Board

Legal Counsel to the County Board and Superintendent

The county board or the superintendent may appoint a legal counsel and fix and order paid such counsel's compensation as an employee or as an independent contractor. The duties of the legal counsel may include rendering legal advice to the superintendent and the county board and advice on such other administrative duties as may be assigned by the superintendent or county board. The legal counsel shall have been admitted to the practice of law in the state and shall not be required to have any certification qualifications. The term "legal counsel" as used herein includes a solo practitioner, partnership, or a law corporation.

The county board and the superintendent shall appoint the same legal counsel.

Neither the county counsel nor the district attorney shall have a duty to perform for the superintendent or the county board any legal services as long as other legal counsel is retained under the provisions of Education Code 35000.

In the event the superintendent or the county board ceases to employ legal counsel and requests the resumption of legal services by the county counsel or district attorney, the entity shall notify the county counsel or district attorney of such fact on or before January 1 of the year preceding the fiscal year in which services are to be resumed.

Legal Reference: Education Code
35041.5 Legal Counsel; Relieving Duties of County
Counsel or District Attorney

Policy
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