

Executive Memorandum No. 10

Policies and Procedures Concerning the General Counsel for the University, and Employment of Outside Attorneys

The purpose of this memorandum is to establish general University policy concerning the duties of the General Counsel for the University, and to establish those procedures which shall be observed in hiring the services of attorneys outside the General Counsel's office to represent the University in any capacity.

1. Duties of the General Counsel

The General Counsel for the University of Nebraska is appointed as provided in Section 2.5 of the Bylaws of the Board of Regents. He or she shall serve as a staff officer to the President, and in this capacity shall act as legal adviser to the Board of Regents, the President, the Central Administration, and the major administrative units of the University. The General Counsel shall be responsible for general control and supervision of any legal matter involving any of the major administrative units of the University or any college, institute, department, school, or other division within any major administrative unit, which requires the services of an attorney-at-law to protect the interests of the University.

2. Procedure for Employment of Attorneys Outside the General Counsel's Office

Due to the volume or to the specialized nature of legal services required by the University, it will from time to time be necessary to hire the services of attorneys outside the General Counsel's office to represent the University. In those instances where the General Counsel is unable to provide necessary legal services due to workload or due to the need for specialized services in a particular area of the law, the General Counsel may approve hiring the services of attorneys outside his or her office to represent the University. All officers and employees of the University shall observe the following procedure in the hiring of such outside legal services:

- a. An officer or employee requesting legal services for the University will discuss with the General Counsel the nature of the legal services required and the capability of the General Counsel's office to provide the services. The General Counsel will advise the officer or employee if his or her office will not be able to provide the legal services as required, and will designate an outside attorney to be hired to represent the University for the purpose of providing such services.
- b. The General Counsel will make the initial contact with each outside attorney to be hired and will establish the terms and conditions of the legal services to be provided by such attorney to the University.
- c. The General Counsel will advise the officer or employee who will be consulting with any outside attorney of the scope of legal services such attorney will be providing to the University.
- d. Legal services to be rendered by any outside attorney shall be limited to the scope of services approved by the General Counsel, and such scope of services shall not be expanded without prior approval of the General Counsel.

- e. All billing statements for services rendered by any outside attorney shall be sent or forwarded to the General Counsel for review and approval prior to payment.

3. Annual Report by the General Counsel

Within forty-five days after the end of each fiscal year the General Counsel shall submit to the President and the Board of Regents a written report giving a summary of active and concluded litigation handled by or under the supervision of the General Counsel's office during the preceding fiscal year, and a summary of the outside legal services for the University approved by the General Counsel during the preceding fiscal year.

Reference: April 20, 1979
June, 2002