

<b>SUBJECT:</b> Retention of External Legal Counsel	<b>Effective Date:</b> 6/3/2016	<b>Policy Number:</b> 2-104.1	
	<b>Supersedes:</b> 2-104	<b>Page</b> 1	<b>Of</b> 2
	<b>Responsible Authority:</b> Vice President and General Counsel		

**DATE OF INITIAL ADOPTION AND EFFECTIVE DATE 10/18/2006**

#### **APPLICABILITY/ACCOUNTABILITY**

This policy applies to deans, directors, department heads, unit administrators, faculty, staff, and other individuals who are considering hiring or retaining legal counsel to represent the university.

#### **BACKGROUND INFORMATION**

The purpose of this policy is to set out the authority, criteria, and process for the retention and compensation of external legal counsel.

#### **POLICY STATEMENT**

The General Counsel is 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. External legal counsel may be retained only through the General Counsel 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 all invoices or requests for payment from external legal counsel.

#### **DEFINITIONS**

**General Counsel.** The term "General Counsel" means the vice president and general counsel and assistant or associate general counsels designated to act on his or her behalf.

**University.** The term "university" in this policy includes the university as a public body corporate and its direct support organizations.

## PROCEDURES

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.

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.

The General Counsel in consultation with the appropriate university administrators shall approve strategic and tactical decisions in legal matters.

This policy does not contravene the authority of the members of the University of Central Florida Board of Trustees to retain outside counsel under appropriate circumstances via approval of a corporate resolution so specifying.

### INITIATING AUTHORITY Vice President and General Counsel

POLICY APPROVAL (For use by the Office of the President)	
Policy Number: <u>2-104.1</u>	
Initiating Authority: <u>Ad. Scott Cole</u>	Date: <u>5/31/16</u>
University Policies and Procedures Committee Chair: <u>Shonda L Bishop</u>	Date: <u>5/27/2016</u>
President or Designee: <u>John C. Hill</u>	Date: <u>6/3/16</u>