

Bylaw

BOARD ATTORNEY

The attorney for the Frenchtown Board of Education shall be retained as the attorney for legal counsel and service in the affairs of the district.

The district shall minimize the cost of legal services by establishing in the budget a maximum annual amount for such services. The board shall be notified if it becomes necessary to exceed the maximum appropriated for legal services and, upon notification, may adopt an increase in the amount through formal board action.

The board attorney shall be appointed at the annual organization meeting by a majority of those present and voting.

The board president and the superintendent may contact the attorney on board and district issues. The business administrator/board secretary and/or the child study team supervisor may contact the attorney with the superintendent's permission and, when doing so, must adhere to all the requirements of this policy and regulation. The board retains the right to limit contacts at any time and/or to limit the discretion of the board president.

Procedures shall be established to:

- A. Ensure the prudent use of legal services (see board policy 3327 Relations with Vendors);
- B. Avoid the use of legal services for management decisions or for readily available information contained in district materials;
- C. Track the use of legal services.

Contracts for legal services shall conform to New Jersey statutes. Payment requirements and restrictions shall:

- A. Prohibit advance payments;
- B. Require that services provided be described in detail in the contract;
- C. Require that invoices for payment itemize the services provided for that billing period;
- D. Require that payment only be for services actually provided.

The board shall have the business administrator/board secretary make every effort to negotiate board insurance contracts that allow the district board attorney to represent the board in legal disputes covered by district insurance.

Nothing herein shall preclude the board of education from employing other attorneys.

Adopt: November 25, 2008
NJSBA Review/Update: October 2016
Readopted: May 9, 2017

Key Words

BOARD ATTORNEY (continued)

Board Attorney, Organization Meeting

Legal References: N.J.S.A. 18A:16-1 Officers and employees in general
N.J.S.A. 18A:16-6 Indemnity of officers and employees against civil actions
N.J.A.C. 6A:23A-5.2 Public relations and professional services

Cross References: 3327* Relations with vendors (use of legal services)
9322.1 Organization Meeting

*Indicates policy is included in the Critical Policy Reference Manual.