

Document Status: Draft Update

2:160 Board Attorney

The Board of Education may enter into agreements for **retain** legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the Board in its capacity as the governing body for the School District. The Board Attorney shall not represent another client if the representation involves a concurrent conflict of interest, unless permitted by the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court. The Board Attorney serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services **or as memorialized by an engagement letter**. The District will only pay for legal services that are provided in accordance with the agreement for legal services, **as memorialized by an engagement letter**, or that are otherwise authorized by this policy or a majority of the Board. [PRESSPlus1](#)

The Superintendent, his or her designee, and Board President, are each authorized to confer with and/or seek the legal advice of the Board Attorney. The Board may **also** authorize a specific **Board** member to confer with **the Board Attorney** legal counsel on its behalf.

The Superintendent may authorize the Board Attorney to represent the District in any legal matter until the Board has an opportunity to **be informed of and/or** consider the matter.

The Board retains the right to consult with or employ other attorneys and to terminate the service of any attorney.

LEGAL REF.:

[Rule 1.7](#) (Conflict of Interest: Current Clients) and [Rule 1.13](#) (Organization as Client) of the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court.

CROSS REF.: 4:60 (Purchases and Contracts)

ADOPTED: December 2016

PRESSPlus Comments

PRESSPlus 1. Updated in response to a five-year review and **PRESS** Advisory Board feedback. **Issue 103, March 2020**