

WALSH, ANDERSON,  
BROWN, GALLEGOS  
and GREEN, P.C.

ATTORNEYS AT LAW

**BENEFITS OF THE WALSH ANDERSON RETAINER PROGRAM**

1. **FREE TELEPHONE CONSULTATION:** The law firm provides unlimited telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director or any designee pertaining to questions arising out of the general operation of the District. Last year, our member clients received an average of 8 free hours of telephone consultation. That is a \$1,800 value in telephone calls alone!

As a retainer client, the District has exclusive access to the statewide toll-free telephone numbers for calls to the law firm. Before making decisions with legal consequences, use our exclusive toll-free number to reach any Walsh Anderson attorney:

▪ Austin	(800) 252-3405
▪ Brownsville	(877) 541-6555
▪ Irving	(800) 231-4207
▪ McAllen	(866) 770-6864
▪ San Antonio	(800) 232-9169
▪ Albuquerque	(800) 771-6864

2. **REDUCED RATES FOR ADDITIONAL LEGAL WORK:** The District receives reduced hourly rates for additional work that goes beyond general telephone consultations, such as analyzing documents, writing opinion letters, or attending school board meetings. Though the hourly rates are reduced for retainer clients, any actual expenses (copy costs or mileage, for example) incurred by the law firm in providing such additional work are charged.
3. **FREE SUBSCRIPTIONS TO FIRM PUBLICATIONS:** Membership in the Walsh Anderson Retainer Program also entitles the District to receive free subscriptions to both of the firm's newsletters:
  1. the informative bi-monthly newsletter "*Time Out with Walsh Anderson*" that provides timely reminders and practical suggestions about general education law issues arising throughout the school year; and
  2. the monthly publication "*This Just In*" which addresses legal issues specific to the special needs of students with disabilities.
4. **E-MAIL UPDATES:** As another benefit of the Retainer Program, Walsh Anderson sends periodic e-mail updates to you (and to any other District personnel or trustees you designate) to help keep the District abreast of the latest developments in school law. These updates,

averaging more than one per month, address a broad range of timely topics and are designed to keep you informed and better prepared in your work for the District. In 2009 we sent over 10 updates on a variety of topics. So far in 2010 we have sent over 7 updates, including:

- Revised contract language in the TASB contract forms for term and probationary contract employees
- 5<sup>th</sup> Circuit Opinion on public comment sessions at board meetings
- Attorney General Opinion on the use of district funds
- Attorney General Opinions on tax rates and TREs
- U.S. Supreme Court Decision on employer-issued technology
- Court ruling in favor of TEA's interpretation of the Minimum Cumulative Grading Policy
- 5th Circuit Opinion (binding in Texas) on student hair length
- Attorney General Opinion regarding payroll deductions, and
- Beginning of School Year Tips for Compliance with FERPA and Child Find

5. **REDUCED RATES ON ALL WALSH ANDERSON INSERVICES:** Our Retainer Program members also receive reduced rates on all inservices presented at the District. Our up-to-date training programs are presented by attorneys with firsthand experience and knowledge about the current legal issues confronting Texas school districts. Our retainer clients also receive priority scheduling for inservice training.

6. **REDUCED RATES ON ALL WALSH ANDERSON PRODUCTS:** To assist clients in their day-to-day operations, we have developed several practical products to save you time and head off potential problems during the school year. These products are easy to navigate, written in plain language, and are full of useful suggestions. As a member of the Retainer Program, clients receive reduced rates on these helpful tools, including:

- Interactive Student Code of Conduct
- Discipline Guide for DAEP & Expulsion
- Student Dress Code
- Student Activities Guide
- A School District's Guide to Section 504 and the ADA
- A Campus Guide to Response to Intervention
- Extracurricular Code of Conduct
- School District Bond Elections: The Roles & Responsibilities of Board Members & Employees
- Tax Ratification Elections: The Roles & Responsibilities of Board Members & Employees

WALSH, ANDERSON,  
BROWN, GALLEGOS  
and GREEN, P.C.

ATTORNEYS AT LAW

**LEGAL SERVICES RETAINER AGREEMENT  
FOR  
BEEVILLE  
INDEPENDENT SCHOOL DISTRICT**

The Beeville Independent School District (hereinafter "District"), acting by and through the authorized Trustee or Employee whose signature appears below, hereby retains the law firm of Walsh, Anderson, Brown, Gallegos & Green, P.C. (hereinafter "Law Firm"), to provide the services to the District set forth below.

1. Telephone Consultation: The Law Firm shall provide telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director, or designee pertaining to questions arising out of the general operation of the District. The District shall have access to a statewide toll-free telephone number for calls to the Law Firm.
2. Additional Legal Work: The District shall be entitled to reduced hourly rates for additional legal work over and above general telephone consultation. Examples of such additional legal work are research, opinion letters, and legal advice or representation in adversarial matters. Expenses incurred by the Law Firm in providing such additional legal work shall be charged.
3. Publications: The Law Firm shall provide at no charge the monthly publication *This Just In*, dealing with special education law issues, and the bi-monthly general school law publication *Time Out with Walsh Anderson*, both published by the Law Firm.
4. E-mail Updates: The Law Firm shall send periodic e-mail updates to designated District personnel and trustees relating to developments in school law. The content and publication schedule of such updates shall be determined solely by the Law Firm.
5. Retainer Term and Cost: There shall be a fee of \$1,000.00 for this Retainer Agreement due upon execution and annually thereafter on the anniversary of the execution date below. This Retainer Agreement shall remain in effect until notice of cancellation is received.
6. Scope of Attorney-Client Relationship: This Retainer Agreement establishes a limited attorney-client relationship only between the Law Firm and the District. The relationship exists only as to the consultations and additional legal work that are initiated by the District and accepted by the Law Firm pursuant to this Agreement. The Retainer Agreement does not impose any duty upon the Law Firm to provide advice or

work to the District regarding legal matters absent a request by the District's Board President, Superintendent, Special Education Director, or designee for such advice or work on a matter. The Law Firm and the District acknowledge and represent that this Agreement does not establish an attorney-client relationship between the Law Firm and any individual Trustees or Employees of the District. If a lawsuit or other adversarial matter is brought against the District and/or any Trustee or Employee of the District, the Law Firm may require the execution of one or more separate Letters of Engagement prior to undertaking an attorney-client relationship in the matter.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

BEEVILLE INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

WALSH, ANDERSON, BROWN, GALLEGOS & GREEN, P.C.

By: \_\_\_\_\_  
Oscar G. Treviño  
Managing Shareholder

WALSH, ANDERSON,  
BROWN, GALLEGOS  
and GREEN, P.C.

ATTORNEYS AT LAW

**FEE SCHEDULE AS OF JULY 16, 2010  
LEGAL SERVICES RETAINER AGREEMENT**

**For Retainer Program Clients**

Annual retainer fee is \$1,000 billed each year on the anniversary of the client joining the program.

Telephone consultation with school officials in this program regarding general routine legal matters is free of charge. The firm has toll-free telephone numbers that are made available to these clients.

An hourly rate of \$190/hour for associates licensed less than one year, \$200/hour for associates licensed one to two years, \$235/hour for associates licensed over two years, or \$255/hour for shareholders is charged for time spent on research, opinion letters, office visits, board meetings, and other work of a general nature.

For matters requiring more in-depth work, such as document review, negotiation of a contract, grievance, nonrenewal, review of constructions documents, litigation, administrative appeals, and the like, all time, including telephone calls, is charged at the current hourly retainer rates shown above, plus expenses. A new file is set up so that the billings show legal fees attributable to that particular matter.

**For Non-retainer Program Clients**

An hourly rate of \$190/hour for associates licensed less than one year, \$200/hour for associates licensed one to two years, \$255/hour for associates licensed over two years, or \$275/hour for shareholders is charged for time spent on any work, including all telephone calls, office visits, litigation, research, opinion letters, hearings, and the like.

**The above rates are subject to change at any time.**