

WALSH, ANDERSON,  
BROWN, SCHULZE  
& ALDRIDGE, P.C.

ATTORNEYS AT LAW

AUSTIN • SAN ANTONIO • IRVING

April 1, 2004

VIA REGULAR MAIL

Dr. Bill Newton  
Acting Superintendent  
Keller Independent School District  
350 Keller Parkway  
Keller, Texas 76248

Re: Renewal of Membership in Special Education Retainer Program

Dear Dr. Newton:

In addition to the monthly billing statement, enclosed please find the annual billing statement for membership in our Special Education Retainer Program. The Walsh Anderson Retainer Program provides a valuable service to the District, and we look forward to the District's continued membership in the program. Benefits of the program include:

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 designee pertaining to questions arising out of the general operation of the District. Call us whenever the District has a question or concern about general school law matters or special education law. 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, call any of our offices at the following toll-free numbers to speak with a Walsh Anderson attorney:

- Austin -- (800) 252-3405
- Irving -- (800) 231-4207
- San Antonio -- (800) 232-9169

2. **REDUCED RATES FOR ADDITIONAL LEGAL WORK:** The District receives reduced hourly rates for additional work that goes beyond the general telephone consultations. Under the Retainer Program, the District receives reduced rates for additional work such as performing legal research, drafting opinion letters, and representing the District in adversarial matters. Though the hourly rates are reduced for retainer clients, any expenses incurred by the law firm in providing such additional legal work are charged.

3. **FREE SUBSCRIPTIONS TO FIRM PUBLICATIONS:** As a member of the Retainer Program, the District receives 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 year; and (2) the monthly publication "*This Just In ...*" which addresses legal issues specific to the special needs of students with disabilities.

4. **EMAIL UPDATES:** As another benefit of the Retainer Program, Walsh Anderson sends periodic email 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 address a broad range of timely topics and are designed to keep you informed and better prepared in your work for the District. Please review the attached list of email addresses you previously provided us and update it if necessary.

5. **REDUCED RATES ON ALL WALSH ANDERSON INSERVICES:** Our Retainer Program members also receive reduced rates on all inservices and legal training programs. 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.

I am pleased that the District has been a member of our Special Education Legal Services Retainer Program. I hope the District will continue its membership. We look forward to receiving your updated email list and signed contract. Please note that the enclosed Special Education Legal Services Retainer Agreement must be signed by an authorized trustee or employee. Consult your local policies to see if they specify who is authorized to approve and sign an agreement retaining legal counsel for the District.

The law firm's retainer programs are designed to provide the District with excellent service and prompt responses to all questions. When considering decisions with legal consequences, call any Walsh Anderson attorney with questions and concerns regarding school law issues. And please, call me with any questions, comments or suggestions about how we can better serve the District. My toll-free number is (800) 252-3405.

Sincerely,



Susan B. Graham

**WALSH, ANDERSON,  
BROWN, SCHULZE  
& ALDRIDGE, P.C.**

**ATTORNEYS AT LAW**

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**SPECIAL EDUCATION  
LEGAL SERVICES RETAINER AGREEMENT  
FOR  
KELLER INDEPENDENT SCHOOL DISTRICT**

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The Keller 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, Schulze & Aldridge, 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 work over and above general telephone consultation. Examples of 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. Email Updates: The Law Firm shall send periodic email updates to designated district personnel and trustees, relating to developments in school law. 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 \$750.00 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 for such advice or work on a matter by the District's Board President, Superintendent, Special Education Director, or designee. 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 \_\_\_\_\_, 2004.

KELLER INDEPENDENT SCHOOL DISTRICT

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

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

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

WALSH, ANDERSON, BROWN, SCHULZE & ALDRIDGE, P.C.

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

WALSH, ANDERSON,  
BROWN, SCHULZE  
& ALDRIDGE, P.C.

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FEE SCHEDULE AS OF APRIL 1, 2004  
SPECIAL EDUCATION RETAINER AGREEMENT FOR  
CONSULTATION AND PUBLICATIONS

**For retainer program clients:**

Annual retainer fee is \$750 billed each year on the anniversary of the District 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 \$150/hour for associates licensed less than two years, \$185/hour for senior associates, or \$205/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 construction 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 \$150/hour for associates licensed less than two years, \$205/hour for senior associates, or \$225/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.**

## WABSA EMAIL UPDATES

Yes, we would love to receive the WABSA Email Updates via email! Please send them to the following district personnel. I have listed their names, titles and email addresses.

**District or Co-op:** Keller ISD

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

And yes, our **Board Members** have email, too, and would like to receive email updates as well. Here are their names, titles (if applicable) and email addresses.

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Name and Title: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Attach additional sheets if necessary. Please complete and return to Diana Stangl at P. O. Box 2156, Austin, Texas 78768 or fax us at (512) 467-9318 or email us at [info@wabsa.com](mailto:info@wabsa.com). Call Diana at 1-800-252-3405 if you have any questions.