



ADMINISTRATIVE REGULATION

Office of the City Manager

Number	AR 201
Sections	1 - 7
Effective Date	11/2/15
Responsible Department	Administration
Review Date	11/2/20

SUBJECT: Use of Outside Legal Services

1. Purpose:

To establish a policy regarding the retention and use of, and agreements with, law firms providing outside legal services.

2. Authority:

By authority of the powers granted to the City Manager under Section 401 of the Huntington Beach City Charter.

3. Application:

This regulation applies to all Huntington Beach City Departments and all personnel.

4. Policy:

The City Attorney's Office has varied legal expertise. In most cases, legal services are provided in-house, thereby sparing the cost of contracting for outside legal services.

The City Attorney's Office recognizes that in some instances certain legal expertise may be required and not available in-house. It is important that the City Attorney's Office be made aware of the legal service needs of each City Department so the City Attorney may evaluate and determine whether or not the service can be provided by in-house staff, or requires the assistance of outside legal counsel.

Moreover, it is equally important that oversight of outsourced legal work is provided by the City Attorney's Office. This policy is to create a procedure for departments to work with the City Attorney to determine if a contract for outside legal services is necessary. The City Attorney at his or her sole discretion may choose to contract with outside legal counsel or provide the legal services through the City Attorney's Office. Once outside legal

services are identified and retained, the City Attorney's Office will provide oversight and monitoring in order to control quality and costs of the outside legal services.

5. Rule:

It is the responsibility of each Department Head to obtain authorization from the City Attorney's Office *prior* to any discussions/contact with outside legal counsel regarding any matter. No Department may independently contract for legal services by entering into a professional services agreement or any other type of agreement without specific written authorization from the City Attorney.

6. Procedure:

- 6.1 A form will be made available to Department Heads only to make a request for "specialized" legal services.
- 6.2 The form is to be completed and submitted to the City Attorney's Office electronically prior to following any other procedures or entering into any contract for outside legal services. The form requires information regarding the type and purpose of the legal service needed along with the estimated cost of the service.
- 6.3 The City Attorney's Office will review the request and, based on the information provided, will inform the requesting Department Head in writing whether the service can be provided in-house by City Attorney Office staff.
- 6.4 If the legal expertise is not available in-house, the City Attorney's Office will work with the Department Head to choose outside counsel. The City Attorney will determine at his or her discretion the law firm and/or attorney to contract with and the terms and conditions of said contract. The City Attorney will monitor and supervise outside law firms for quality, scope of work requested, and controlling the costs of outside legal services.
- 6.5 Once outside legal services are retained, the department is at liberty to communicate with the outside law firm/attorneys.

6.6 Once work by outside counsel begins, the departments should keep the City Attorney apprised on a regular basis of progress and the work that is requested of outside counsel. There may be occasions where the City Attorney may communicate directly with outside counsel to discuss options for accomplishing the goals of the departments.

6.7 All invoices for outside legal services will be submitted to the City Attorney's Office for review and approval for payment. There may be instances where the City Attorney's Office reviews those invoices with other departments to verify the work and related charges.



Originating Department



Fred A. Wilson, City Manager



Approved as to Form