

PROCEDURES FOR UTILIZING LEGAL COUNSEL

Effective 1/1/09

No decision to employ legal counsel to consult with or represent the County Board of Health, Board members, employees or the Health Department shall be made except as outlined in this policy.

Health Department Staff

Health Department staff members are to route all legal questions and requests to utilize an attorney for legal advice or representation through their supervisory chain to the appropriate district director (Environmental Health, Clinical, etc.).

The appropriate district director (Environmental Health, Clinical, etc.) will consult with the District Health Director to determine if the question or issue is appropriate for forwarding to the Division of Public Health, Office of Legal Services. All questions thusly deemed appropriate will be forwarded to the state by the district office.

The appropriate district director (Environmental Health, Clinical, etc.), consulting with the District Health Director as needed, will make the determination as to whether a question or issue should be taken before the County Attorney. In questionable situations, the District Health Director shall make the final determination.

Requests which are generated from the County Attorney to Health Department or District staff to attend meetings or provide input on a given issue, and thus do not incur a cost to the Board of Health, do not require prior approval.

Board of Health Members

Board of Health members are to check with the District Health Director to see if the question or issue is appropriate for the Division of Public Health, Office of Legal Services or other no-cost legal assistance, prior to engaging an Attorney. If no alternatives are available or appropriate, the Board of Health member shall bring the question or issue before the full Board for approval, prior to engaging an Attorney.

Court Cases

No decision to expend funds to employ legal counsel to consult with or represent the County Board of Health, Board members, employees or the Health Department in a court case shall be made without joint approval from both the Board of Health and the District Health Director.