



# PIMA COUNTY, ARIZONA

## BOARD OF SUPERVISORS POLICY

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### Purpose

The Pima County Attorney is the legal advisor for Pima County. This policy is intended to provide County officials, employees, and agents with guidelines for obtaining legal advice and representation with respect to County operations and official or employment duties. Any County official, employee or volunteer who, in the course of carrying out official duties or acting in the course and scope of employment, requires legal advice or representation, shall, consistent with any established department practice or procedure, promptly contact the County Attorney or designated deputy, unless other legal counsel has been approved by the Board of Supervisors or County Administrator. As used in this Policy, "Pima County" or "County" means Pima County, the Pima County Flood Control District, Pima County Officers and their respective Boards, Commissions, And Committees.

### Exceptions to the County Attorney as Legal Advisor

In instances where the County Attorney has determined that its office cannot provide legal advice or representation, due to conflict or other reason, the County Attorney or County Administrator shall promptly arrange for competent legal advice or representation outside of the County Attorney. Only the County Attorney and County Administrator have authority to retain counsel outside of the County Attorney. Private counsel retained without compliance with the provisions of this policy and related Administrative Procedures shall not constitute a legitimate charge of Pima County and shall be the personal obligation of the individual retaining private counsel.

The Attorney General is the legal representative of the Superior Court. All requests for local services on behalf of the Superior Court shall be submitted to the Office of the Attorney General. Private counsel retained by the Superior Court shall not be at the expense of Pima County unless expressly contained within the adopted budget of the Superior Court.

### Service of Legal Processes

Only the County Administrator and the Clerk of the Board of Supervisors are authorized to accept service of formal court papers which name Pima

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County as a party to the action. County officers and employees may accept service of process only in those instances in which they are individually identified either by title or name on the document being served. The County Attorney may accept service of process in those cases where prior arrangement has been made with the opposing party's counsel.

Requests for Formal, Written Legal Opinions from the County Attorney

Only the County Administrator and elected officials may request formal, written legal opinions from the County Attorney's Office.

Administrative Procedures

The County Administrator shall promulgate Administrative Procedures implementing this policy.

DEC - 6 1994