

6.9.i. Policy**LEGAL SERVICES MANAGEMENT POLICY**

Trust Council: September 12, 1992

Amended: September 16, 2005

A: PURPOSE:

1. To outline the process to access and instruct legal counsel in a manner that is cost effective and efficient.

B: REFERENCES:

1. Policy Manual: Legal Services Access (6.9.ii.)

C: POLICY:**1. LEGAL COUNSEL ACCESS**

- 1.1. Opening and/or extending legal files with legal counsel shall only be initiated through staff using established legal services management procedures.
- 1.2. Trustee requests for opening new and/or extending existing legal files must be initiated by a resolution of the appropriate approving authority.
- 1.3. Trustee requests for consultation with legal counsel may be facilitated by staff in a manner that permits the obtaining legal advice such that it is available to others concerned and/or the Trust in general.
- 1.4. Where a Trustee is a defendant in a litigation matter, he/she shall be able to directly access legal counsel on matters related to the litigation.

2. LEGAL COUNSEL INSTRUCTION

- 2.1. All resolutions requesting staff to access legal services should be clear in providing: instructions to legal counsel as to the key question(s) to be addressed, expected product, time frame to respond, and materials to be provided to legal counsel.
- 2.2. All requests for legal counsel services should be initiated by staff using a Legal Services Request form processed according to established procedure.

- 2.3. Legal services requirements of an urgent nature may be initiated by staff and although established procedure may not initially be followed, a Legal Service Request form shall be processed immediately.

3. LEGAL SERVICE APPROVAL

- 3.1. Only Directors can approve staff access to legal counsel to initiate the opening of a new file and/or extension of an existing file (obtain an estimate).
- 3.2. The initiation of a major legal advice file and/or continuance of any litigation file beyond initial legal counsel consultation shall be approved by the Executive Committee.
- 3.3. All legal service bills shall be approved by the Director of Administrative Services for payment subject to a satisfactory reconciliation with the relevant Legal Service Request cost estimate and the designate staff member's verification.
- 3.4. The Director of Local Planning Services shall be responsible to monitor and supervise the use of legal services as per the conditions of the Legal Services Contract.
- 3.5. The Executive Committee may, at any time, on matters where it deems it necessary, access legal counsel directly through the Chairperson.