

 <b>DALHOUSIE UNIVERSITY</b> <i>Inspiring Minds</i>	<b>LEGAL SERVICES POLICIES AND PROCEDURES</b>	<i>Instruction Number:</i>
	<i>Subject:</i> Retainer of Legal Counsel	<i>Date Issued:</i> March 10, 2006
	<i>Title:</i> Guidelines for Approval of Retainer of External Legal Counsel	<i>Date Revised:</i>
	<i>Issued by:</i> University Legal Counsel	<i>Approved by:</i> President

**Purpose:**

The purpose of this policy is to coordinate the retainer of lawyers outside the University, in order to maximize efficiencies in the provision of legal services, to manage potential conflicts of interest in law firm representation, and to ensure accurate reporting and accountability in relation to the University's legal liability.

**Policy:**

Retainer of external legal counsel in relation to university operations, programs or activities must be approved in writing in advance by University Legal Counsel or designate, regardless of the source of the funding for the legal services to be provided.

**Procedures**

1. Requests for external legal services should be made in writing (including email) to University Legal Counsel at the earliest opportunity once the need for such services is identified.
2. Approval of retainer of external legal counsel by University Legal Counsel or designate will be contingent upon:
  - a. clear identification of appropriate scope of legal services sought;
  - b. exploration of alternatives (ie. whether services can be provided within the University);
  - c. selection of a lawyer with expertise appropriate for the required services;
  - d. where possible, selection of a law firm and/or lawyer that is familiar with university operations, programs or activities, in order to maximize efficiency in the provision of the legal services;
  - e. confirmation that the proposed law firm is not in a conflict of interest or has made appropriate arrangements pursuant to the relevant Barristers' or Law Societies' *Code of Professional Conduct*;
  - f. confirmation of the source and sufficiency of funding for the legal services and agreed process for payment;
  - g. satisfactory arrangements for instruction; and

- h. satisfactory arrangements for reporting to University Legal Counsel.
- 3. Approval of such retainers must be obtained in relation to each situation or matter for which legal services are sought, except where there is a demonstrated on-going need for external legal services. In the latter event, broader approval may be provided in relation to a specific scope of services.
- 4. Approval by University Legal Counsel or designate shall be made in writing and shall address each of the items listed in section 2, above.