

**CITY OF STOUGHTON
CITY ATTORNEY CONTACT POLICY**

There are times when the City, City officials, and City staff need legal advice or legal services from the City Attorney. Because legal services are costly, because the City may already have legal opinions available, and because requests for legal services should be coordinated to avoid unnecessary expense, the City adopts this CITY ATTORNEY CONTACT POLICY.

1. Any person seeking legal services from the City Attorney should first determine whether the City already has a legal opinion on file that addresses the question. The City Clerk will update the list of attorney opinions on a bi-annual basis and place them on a website with a hard copy available in the Clerk's office at City Hall. Changes in the law or different circumstances may make it advisable to obtain legal advice even where the City has an existing opinion.
2. The City Council, Mayor, City Clerk, Police Chief, Planning Director, and Finance Director are each authorized to request legal services from the City Attorney, on the City's behalf, as they deem necessary.
3. Any elected City official is authorized to directly request legal advice from the City Attorney on matters related to his or her individual compliance with the open meetings law, ethics laws, and open records law. Any elected City official or appointed member of any City committee or commission is authorized to request an advisory ethics opinion from the City Attorney pursuant to Wis. Stat. § 19.59(5)(a).
4. Individual alderpersons, department heads, and others who wish to request legal services may make such request through the City Council, Mayor, or City Clerk.
5. Except as provided in Sections 3 and 4, individual alderpersons, department heads, and others who wish to request legal services directly from the City Attorney shall do so as follows:
 - A. The person requesting legal services shall inform the Mayor or City Clerk that he or she will be contacting the City Attorney.
 - B. The person requesting legal services shall ask the City Attorney for an estimate of the amount of time required to provide the legal services. If the estimated time is more than one (1) hour, the City Council, Mayor, or City Clerk must approve the request for legal services.
6. Legal services requests relating to personnel, employment or labor law related matters shall be directed to the City Clerk/Personnel Director, unless such request pertains to the City Clerk/Personnel Director, in which case such request shall be directed to the Mayor.
7. Written legal opinions from the City Attorney shall generally be provided to the Mayor, Alderpersons, and Department Heads, as deemed appropriate by the City Attorney,

Mayor, and requestor. In some cases, such as ethics opinions under Wis. Stat. §19.59(5)(a), confidentiality rules may apply to legal opinions. In some cases, distribution of communications with legal council may need to be restricted to protect the City's interests, as determined by the Mayor and/or City Council, in consultation with the City Attorney. Written and verbal communications between City officials and the City Attorney may also be privileged. No person may disclose privileged communications without prior approval from the City Council or the Mayor.

ADOPTED BY THE COMMON COUNCIL: June 23, 2009

S:\Clerks Office\Policies Procedures and Emergency Plans\CITY ATTORNEY CONTACT.docx

S:\Clerks Office\Policies Procedures and Emergency Plans\CITY ATTORNEY CONTACT.pdf

LASERFICHE:\Stoughton\Policies Procedures and Emergency Plans\City Attorney Contact