

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

3000 BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

3800 LEGAL OR ATTORNEY SERVICES

3802 Responsibility for Solicitation of Provision of Legal/Attorney Services

1. Legal or Attorney service including representation in litigation, mediation, or administrative hearings for local education agencies (LEAs) within the SBCSELPA, and/or employer-employee relations shall be provided through contractual agreements with qualified attorneys on an open, ongoing bid basis practice. Desirable additional legal services include availability of telephone consultation and staff development on legal matters.
2. Only the SBCSELPA Executive Director may authorize SBCSELPA -funded consulting services of a legal nature. This consultation shall be for services and consultation on behalf of the JPA Board.
3. The JPA Board shall have the responsibility for authorizing the use or cessation of specific law firms for SBCSELPA-funded legal services (to include all services rendered as per SBCSELPA Policy 3204).
4. When more than one LEA is involved in a due process case or potential due process case requiring legal representation, it is recommended that the legal representative be selected by consensus of the parties involved. If consensus cannot be reached regarding selection of a legal representative, each LEA shall select their own legal representative. If the case involves a regional program student, it is required that the SBCSELPA Executive Director be involved in the attorney selection process.
5. The SBCSELPA may contract with multiple law firms for special education legal services and will establish base rates to be paid to the law firm(s) for services rendered to LEAs within the SBCSELPA.
6. If a SBCSELPA LEA wishes to utilize legal/attorney services other than those contracted by the SBCSELPA's JPA Board specifically for special education, the local education agency shall be responsible for the cost of such services.

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