

2:160 Board Attorney

The Cooperative may enter into agreements for legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the Governing Board and Executive Board in their capacity as the governing bodies for the Cooperative. The Attorney shall not represent another client if the representation involves a concurrent conflict of interest, unless permitted by the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court. The Board Attorneys serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services. The Cooperative will only pay for legal services that are provided in accordance with the agreement for legal services or are otherwise authorized by this policy or a majority of the Board.

The Director, his or her designee, and Board President/Chairperson of either Board, are each authorized to confer with and/or seek the legal advice of the Board Attorney. The Board may authorize a specific member to confer with legal counsel on its behalf.

The Director may authorize the Board Attorney to represent the Cooperative in any legal matter until the Board has an opportunity to consider the matter.

The Boards retain the right to consult with or employ other attorneys and to terminate the service of any attorney.

LEGAL REF.: Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client) of the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court.

CROSSREF.: 4:60 (Purchases and Contracts)

ADOPTED: November 14, 2019