

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: General Administration

NUMBER: 01.D.01

AREA: Legal Affairs

SUBJECT: Requests for Services from the Office of the General Counsel

1. PURPOSE

- 1.1. All legal services for the University of Houston System and its component universities are provided exclusively by the Office of the General Counsel, which is also responsible for coordinating the litigation activities of the System and its component universities with the Office of the Attorney General of Texas.
- 1.2. Representation of the System and its component universities in litigation is provided through the Attorney General's Office, as requested by the Office of General Counsel. The General Counsel is responsible for overseeing the representation by the Attorney General's Office and/or outside legal counsel with respect to all lawsuits filed by or against the Board of Regents, the System or its component universities or entities, and of all lawsuits filed by or against its members, employees, or agents of those component universities or entities acting in their official capacities, or in their individual capacities if the lawsuit arises from their official acts. The General Counsel will provide periodic reports to the Board and Chancellor about the status of pending litigation, the resolution of any lawsuit and the settlement of any claim. All contacts with the Attorney General's Office shall be made exclusively through the Office of the General Counsel.
- 1.3. Employment of outside legal counsel on behalf of the System or its component universities or entities shall be conducted exclusively through the Office of the General Counsel. See [SAM 01.D.02](#) for policies relating to employment of outside legal counsel.

2. REQUESTS FOR IN-HOUSE LEGAL OPINIONS, ADVICE, INFORMATION AND POLICY INTERPRETATIONS

- 2.1. All requests for legal opinions, advice, information or services should be directed to the Office of the General Counsel by the Board of Regents, the Chancellor, the vice chancellors, or the presidents of the System's component universities or by such individuals as may be specifically designated by the Chancellor, vice chancellors or presidents in writing.
- 2.2. In a situation that could not reasonably have been anticipated in advance, and that requires immediate legal advice, or information or services, any member of the System and its component universities may contact the Office of General Counsel

directly, but those who are not expressly designated as authorized to request legal services directly from the Office of the General Counsel should first attempt to contact the individual within the System or the component university with such authority and receive approval of such requests.

- 2.3. While telephone requests may be necessary from time to time, most requests for legal services should be communicated in writing.
- 2.4. All requests of legal services should include the following information:
 - a. Date of request;
 - b. Name and title of person requesting advice, information or services;
 - c. Description of issues to be addressed or information or services sought;
 - d. Specific questions;
 - e. Deadlines for such advice, information or services;
 - f. Supporting documentation, if any.
- 2.5. The Office of the General Counsel will assign priorities to all requests received, based on factors including deadlines, the availability of personnel to respond to the requests, and the potential consequences to the System or component university of postponing a response to such requests. The general order of priorities assigned to requests for legal services by the Office of the General Counsel will be as follows:
 - a. Litigation and court-ordered action;
 - b. Responses to and cooperation with external administrative agencies;
 - c. Services requested by members of the System or component university community;
 - d. Educational programs and preventative law; and
 - e. Service generally to the higher education and legal community.
- 2.6. The Chancellor, vice chancellors or presidents of the component universities may request a specific priority for a request at any time. Such requests must be in writing directed to the Office of the General Counsel.
- 2.7. Questions of interpretation of the System Administrative Memoranda (SAMs) should be directed to the official responsible for interpretation, as designated. If the policy requires legal interpretation, the designated official should contact the General Counsel.

3. ATTORNEY GENERAL OPINION REQUESTS

All opinion requests must be submitted to the Attorney General by a member of the Board of Regents, the Chancellor or a president of a component university. The information necessary to prepare the opinion request shall be submitted to the General Counsel by the board member, Chancellor, or president of the component university involved, or by his/her designee.

4. OPEN RECORDS DECISION REQUESTS

All open records requests received by University personnel should be immediately forwarded to the public information officer/designee (PIO). The PIO shall work with the General Counsel in reviewing and coordinating a response, if any. Requests for an open records decision are submitted to the Attorney General by the General Counsel or designee. The General Counsel may identify in writing routine requests for information which the General Counsel has determined would not necessitate prior legal review and to which an exception to disclosure under the [Texas Public Information Act](#) would apply.

5. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Legal Affairs and General Counsel

Review: Every five years on or before March 1

6. APPROVAL

Approved: Dona Cornell
Vice Chancellor for Legal Affairs and General Counsel

 Renu Khator
Chancellor

Date: November 28, 2016

7. RELATED STATUTES, POLICIES OR REQUIREMENTS

[Texas Government Code, § 402.042 – Questions of Public Interest and Official Duties](#)

[Texas Government Code, Chapter 552 – Texas Public Information Act](#)

[SAM 01.D.02 – Employment of Outside Legal Counsel](#)

[SAM 03.H.02 – Open Records](#)

REVISION LOG

Revision Number	Approval Date	Description of Changes
1	08/22/1991	Initial edition (Original Title: Requests for Services from Office of University Counsel)
2	07/09/1998	Applied revised SAM template to meet current documentation standards. Changed title from "Office of University Counsel" to "Office of the General Counsel." Rewrote entire procedure, including a new Section 3 on Attorney General Opinion Requests, and a new Section 4 on Open Records Decision Requests. Revised Section 7, Indexing Terms
3	07/27/2001	Applied revised SAM template to meet current documentation standards. Added reference in Section 4 to Texas Public Information Act as part of Open Records Decision Requests. Changed review period from annually on or before May 1 st to every two years on or before May 1 st . Added Vice Chancellor for Administration and Finance to approval process.
4	06/09/2009	Applied revised SAM template to meet current documentation standards. Added members, employees, or agencies of component universities to Section 1.2. Added link to SAM 01.D.02 in Section 1.3. Removed information copy to Chancellor in Section 2.1. Added "services" to Sections 2.4.b, 2.4.c, and 2.4.e. Added link to Texas Public Information Act in Section 4. Changed review period from every two years on or before May 1 st to every two years on or before March 1 st . Added Vice Chancellor for Legal Affairs and General Counsel to Approval process, and removed Vice Chancellor for Administration and Finance. Removed Section 7, Indexing Terms
5	11/28/2016	Applied revised SAM template and added new Revision Log. Updated links and titles as needed. Removed letter being filed with General Counsel from Section 2.1. Added communication in writing for legal services in Section 2.3. Revised Section 3 per current operating requirements. Updated Section 4 information regarding open record decision requests. Changed review period from every two years on or before March 1 st to every five years on or before March 1 st . Added Section 7 on related statues, policies and requirements