

CHAPTER IV

LEGAL COUNSEL

4001. LEGAL COUNSEL. The Office of General Counsel is responsible for providing legal counsel for the District. The Office of General Counsel may seek additional legal services for the District from outside law firms in accordance with the Board's rules and regulations. Any members of the Board, the Chancellor, College Presidents and their designees may request the opinion of the General Counsel.

The Office of General Counsel shall be considered a Board support unit and report to the Board of Trustees through the Chancellor.

The General Counsel shall serve as the Board Parliamentarian.

Adopted 12-02-69
Amended 01-28-76
Amended 02-04-76
Amended 06-25-80
Amended 11-14-01

4002. CONTACTS WITH PUBLIC AGENCIES. The Chancellor shall establish the procedures to be followed pertaining to the relationships of the District to federal, state, county, and city departments, and to inquiries regarding federal and state laws and city and county ordinances.

Adopted 12-02-69
Amended 01-28-76
Amended 02-04-76

4004. CLAIMS FOR MONEY OR DAMAGES. As a prerequisite to suit against the Los Angeles Community College District, any claims against the District for money or damages which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910), of the Government Code of California.

Adopted 06-09-70

4004.10 Claims by Public Entities. Claims by the state or by a state department or agency or by another public entity.

Adopted 06-09-70

4004.11 Claims for Fees and Allowances. Claims for fees, salaries or wages, mileage, or other expenses and allowances.

Adopted 06-09-70

4004.12 Claims Under District Retirement System. Applications and claims for money or benefits under the Los Angeles Community College District Retirement System or any other retirement system, not governed by any other statutes or regulations expressly relating to the presentation or such applications or claims.

Adopted 06-09-70

4005. CLAIMS AND OTHER LEGAL PROCESS- PLACE OF SERVICE

The designated place for service of claims, lawsuits, subpoenas for records or other types of legal process upon the District is the Office of the General Counsel. The General Counsel's Office may refer claims, subpoenas for records or other matters served to other offices for handling, resolution or supervision.

The District's program manager for its bond construction programs is authorized to accept service of stop notices on behalf of the District for projects within its purview. Upon service of a stop notice, the program manager will promptly take steps as may be required by law, including reservation of funds and notification of the general contractor.

Adopted 06-25-97

Amended 08-11-04

Amended 03-25-09

LOS ANGELES COMMUNITY COLLEGE DISTRICT

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

Instructions:

1. Read the entire form carefully.
2. Fill out the form completely. Attach additional information, if necessary.
3. Sign the claim form.
4. Deliver or mail claim to:

Board of Trustees
Los Angeles Community College District
c/o Office of the General Counsel
770 Wilshire Boulevard
Los Angeles, California 90017

Name of Claimant		
Address		
City	State	Zip Code
Home telephone	Business/Day telephone	

Address and telephone number to which communications should be directed:		
Address		
City	State	Zip code
Telephone		

When did the damage or injury occur?	
Date:	Time:

Where did the damage or injury occur?		
Address		
City	State	Zip code

Please provide the name(s) of any employee(s) involved in the occurrence or transaction.	
Name(s):	Department:

Describe in detail how the damage or injury occurred.

Please describe the type and the amount of damages or injury incurred as of the date you filed this claim.

Jurisdiction for complaint (check one): <input type="checkbox"/> Municipal Court <input type="checkbox"/> Superior Court

PLEASE BE ADVISED:

- 1) Claims for death, or injury to person or to personal property must be filed within 6 months after the occurrence or transaction. (Gov. Code section 911.2)
- 2) All other claims for damages must be filed within 1 year of the occurrence or transaction. (Gov. Code section 911.2)
- 3) The Board of Trustees will grant or deny the application within 45 days after it is received by the Board. (Gov. Code section 911.6(a))
- 4) If the Board does not act on the application within 45 days, the application is deemed to have been denied. (Gov. Code section 911.6(c))

Signature of Claimant or person acting on his/her behalf:	Date
Print or type name	If other than Claimant, give relationship:

PROCEDURES FOR RETAINING LEGAL SERVICES

In retaining law firms for individual cases or matters, the following procedure shall be followed:

- A. For ongoing work, the General Counsel shall conduct an open and competitive process to establish a panel of law firms with commonly-required expertise. In the event a need for additional expertise arises, the General Counsel shall make recommendations to the Board for additional firm(s) as necessary.
- B. The Board of Trustees delegates authority to the General Counsel, or his/her designee, to select the firm to which an individual case or matter will be assigned. The General Counsel, or his/her designee, shall report the selection of counsel, the basic terms of the firm's proposal, and the reason for the selection at the first meeting of the Board of Trustees following the selection.
- C. The General Counsel, or his/her designee, shall solicit proposals from a minimum of three law firms for each individual case or matter, except as set forth in section G below.
- D. For litigation in superior or federal court, or administrative proceedings, including arbitrations or administrative hearings, the proposal from each law firm will contain a proposed budget, including a litigation plan, a list of services to be provided, a per-unit price for categories as designated by the General Counsel or his/her designee, pursuant to regulations promulgated by the Chancellor, and a maximum budget for those legal services not subject to unit-based pricing.
 1. For matters subject to unit-based pricing, the unit price shall cover all of the firm's professional fees associated with the matter, including travel time to and from hearings and depositions, preparation for hearings, trial, motions, and depositions, etc., except for reimbursable costs allowable under the law firm's contract with the District.

Adopted 11-14-01

- E. If a law firm's proposal is accepted, the budget for matters not subject to unit-based pricing shall be binding unless the General Counsel determines that unforeseeable circumstances have arisen. Under such circumstances, the General Counsel may, in his/her discretion, agree to an amended budget. The General Counsel shall promptly notify the Chancellor and the Board of Trustees of the unforeseeable circumstances, the reason for agreeing to an amended budget, and the amount of the amendment allowed.
- F. Limited jurisdiction civil cases shall be paid at a rate up to, but not to exceed, \$7,500.00, exclusive of costs, through trial or arbitration.
- G. Transactional matters, such as contract review or negotiations shall not be subject to the unit-based billing system. Whenever possible, the General Counsel shall obtain a proposal for a transactional matter, including an estimate of the total number of hours required and a total budget amount. The budgeted amount shall be binding except as provided in section E above. Transactional matters may be assigned to counsel without soliciting multiple proposals.

Adopted 11-14-01
Amended 12-01-04