

PROCEDURES MEMORANDUM:

TO: MCC Staff

FROM: Office of the President

SUBJECT: Authority to Engage Outside Legal Counsel.

DATE: May 12, 2009

PURPOSE: To establish procedures for employees to request that the College engage outside legal counsel (hereinafter "the Law Firm").

SCOPE: This procedure applies to all full-time MCC Employees.

1. GENERAL:

- A. The only persons directly authorized to contact the College's external legal counsel and to request the Law Firm to provide legal services regarding College business and at the expense of the College shall be: (a) Members of the College's Board of Governors; (b) The President of the College; and (c) the College's General Counsel.
- B. Any other employee of the College must contact the College's General Counsel (the "Gatekeeper") for permission to contact the Law Firm to request the Law Firm to provide legal services regarding College business. At the discretion of the Gatekeeper, the approval may authorize a single contact, a specified number of contacts, or unlimited contacts related to a specific project code. Said approval shall be communicated by the Gatekeeper to the employee and the Law Firm. If not approved by the Gatekeeper, the disapproval shall be communicated to the employee only. Any request not approved by the Gatekeeper may be appealed by the College employee to the President.
- C. If approved, the Gatekeeper shall assign a project code which shall be communicated to the Law Firm by the Gatekeeper.
- D. The Gatekeeper shall review and approve all bills submitted by the Law Firm prior to payment by the College.
- E. Project Codes shall be seven digits in length. The first digit shall be an "A" if the project is initially attributable to a request of the College's Administration or a "B" if the project is initially attributable to a request of the College's Board of Governors.
- F. The College's General Counsel shall be the Gatekeeper. In the absence of the General Counsel, approval for procurement of external legal services by College employees may be

obtained from the first available of the following: (a) the President; (b) the Executive Vice President; and (c) the College Business Officer.

Adopted 1/16/04; Revised 4/22/05; 6/8/06; Reviewed but no changes 5/12/09