

DRAFT DISCUSSED AT 10-02-2024

GOVERNANCE COMMITTEE MEETING

Regents' Policy Manual - Section 2.16: Legal Services for the University

Adopted Date: 09-12-1996

Amended: 12-14-2004

Amended: 01-06-2007

Amended: 01-09-2007

Amended: 12-14-2010

Amended: 03-14-2016

Amended: 03-09-2023

Amended: 05-11-2023

Policy

The General Counsel shall be appointed by the President of the University, with the advice and confirmation of the Board of Regents, to direct a legal office for the University. The President may dismiss, set compensation, amend or not renew the contract of the General Counsel, but any such action must be confirmed by the Board of Regents. The General Counsel is responsible for advising the Board of Regents and the President on all legal issues relevant to their respective duties, and shall report to both the Board of Regents and the University President. In extraordinary circumstances where there is or may be a conflict of interest ~~between-in which~~ the Board of Regents (as a Board) and the President are or may become adverse, the General Counsel may withdraw from its joint representation of the Board of Regents and the President with respect to that matter, and both shall represent the Board of Regents and the President shall each be authorized to hire their own outside counsel.

The General Counsel, in consultation with the President, is authorized to initiate, join and intervene in legal proceedings in the name of the Regents of the University of New Mexico in routine matters which do not raise policy issues.

No component of the University may retain or employ outside counsel except with the prior approval of the President of the University, the Board of Regents, or their designee. The term "component of the University" includes the University, any unit, department or office of the University and any University-affiliated organization of which the University is the sole member or in which the University holds, directly or indirectly, a majority voting interest. The retention, employment and supervision of such outside counsel shall be in accordance with guidelines promulgated by General Counsel and pursuant to a contract for legal services approved by the Board of Regents or the President of the University.

References

Appointment and Termination of Key Administrators, [RPM 3.3](#) ; Student Government, [RPM 4.1](#); Signature Authority for Contracts, [RPM 7.8](#).

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