

**SENATE BILL #2559**

**TITLE:** Readjustment of Scope of Operations for Student Legal Services  
**DATE INTRODUCED:** April 4, 2017  
**AUTHORS:** Senator Defebaugh; Executive Long  
**SPONSORS:** Senators Dooley and Thomson-Lichty



1. WHEREAS, the Mission of the Associated Students of the University of Wyoming (ASUW)
2. Student Government is to serve our fellow students through professional interaction with
3. campus programs and organizations; and,
4. WHEREAS, Student Legal Services (SLS), formally known as the Students' Attorney
5. Program, is a valuable ASUW Service for students at the University of Wyoming (UW)
6. for full legal advice services for any student, excluding in-court representation; and,
7. WHEREAS, the ASUW Student Government considers SLS a primary resource with the
8. purpose of providing free, confidential legal advice and assistance to UW students; and,
9. WHEREAS, this resource is available to students seeking advice with personal legal issues as
10. well as the Service provides educational events for all students to learn about their legal
11. rights and freedoms; and,
12. WHEREAS, there is a continual need to improve access to legal services provided to
13. students by SLS; and,
14. WHEREAS, the ASUW Student Government has declared its commitment to ensuring the
15. long-term success of SLS with the Dean of Students Office through Senate Bill #2465; and,
16. WHEREAS, upon approval of the UW Board of Trustees (BOT), Senate Resolution #0884
17. adopted the Students' Attorney Act which created SLS as an ASUW Program; and,
18. WHEREAS, the September 14, 1973 UW BOT meeting minutes show the limitations placed
19. on the Program, including "the Student's Attorney shall not represent

20. or advise any student, student group or organization if the University is an interested party to  
21. the matter, or if it requires a University decision, but may refer the matter to the appropriate  
22. University official having cognizance” and “shall not represent or advise any student of  
23. any matter which is directly or indirectly in conflict with the interest of the University”; and,  
24. WHEREAS, the language establishing limitations of SLS provides a vague interpretation of  
25. whether UW students can seek legal advice specifically in relation with University of  
26. Wyoming Police Department (UWPD), but precedence over the past 30 years has been that  
27. SLS does not advise students on arrests, citations, or interactions with the UWPD; and,  
28. WHEREAS, current UWPD Chief Samp, with extensive experience in law enforcement,  
29. does not believe SLS advising UW students on arrests, citations, and interactions with the  
30. UWPD would be a conflict of interest for UWPD or the UW; and,  
31. WHEREAS, the UW Assistant Dean for Conduct would like to refer students arrested by  
32. UWPD to SLS so students can be educated about the municipal, county, and state court  
33. systems that they will be required to undergo; and,  
34. WHEREAS, Section II of UW Regulation 8-249 outlines that “the ASUW may establish,  
35. modify, and discontinue programs, services, and operations that benefit and promote the  
36. general welfare of the students of the University”; and,  
37. WHEREAS, all the comparator universities that the ASUW Student Government sought  
38. feedback from, advise students regarding arrests, citations, and other interactions with  
39. campus police, institutions include: Boise State University, University of Colorado, Colorado  
40. State University, University of Nebraska, Utah State University, University of Central  
41. Florida, University of Missouri, University of Montana, University of New Mexico,  
42. University of New Orleans, University of North Texas, University of Oregon, University of

43. South Dakota, University of Virginia, Virginia Tech, and West Virginia University; and,  
44. WHEREAS, many UW students are impacted by arrests, citations, and interactions with the  
45. UYPD in which free, legal advice and assistance would be beneficial for the students to  
46. understand their rights in the legal process; and,  
47. WHEREAS, the UW and ASUW Student Government are committed to providing  
48. educational opportunities to all students, including those aspects that fall within the legal  
49. rights of an individual.  
50. THEREFORE, be it enacted that the Associated Students of the University of Wyoming  
51. (ASUW) Student Government readjust the duties of Student Legal Services, as formally  
52. adopted on a permanent basis by the University of Wyoming Board of Trustees (BOT) May  
53. 14, 1976 meeting, to reflect the changes as outlined in Addendum A; and,  
54. THEREFORE, be it further enacted by the ASUW Student Government that the changes as  
55. outlined in Addendum A, be proposed to the BOT for their consideration and approval; and,  
56. THEREFORE, be it further enacted that this bill shall in no way supersede Senate Bill #2465.

Referred to: PID

Date of Passage: 04/11/17 Signed: Tyler Wanner  
(ASUW Chairperson)

"Being enacted on 04/17/2017, I do hereby sign my name hereto and  
approve this Senate action." Melvin P. Peltier

ASUW President



## Addendum A

### THE STUDENTS' ATTORNEY PROGRAM

1. Statement of Purpose: There may be a need for competent, continual legal advice to students of The University of Wyoming. By having a designated attorney available, this would be in furtherance of the objectives and activities of the Associated Students of The University of Wyoming to further the general welfare and education of individual students. It is believed that the individual students would greatly benefit by having an attorney available to counsel with them or refer them to an attorney when needed in regard to civil or criminal legal matters.
2. Qualifications: The Students' Attorney shall be an attorney admitted to the Bar of the State of Wyoming, and shall perform the duties required as an independent consultant in accordance with specific contractual provisions.
3. Duties of the Students' Attorney:  
The following duties shall be performed by the Students' Attorney:
  - A. The Students' Attorney will assist only full-fee paying students of The University of Wyoming who seek advice in connection with personal legal problems;
  - B. Provide individuals with general information concerning management of personal affairs involving legal implications, and prepare information which may be made available for students to guide them with regard to applicable principles of law on selected subjects;
  - C. The Students Attorney shall, for the benefit of students, establish a legal referral system in conjunction with local Bar associations, and he shall maintain liaison with these organizations in order to develop and maintain local support for the Students Legal Services and facilitate effective and prompt handling of referrals;
  - D. Records as regards students seeking advice shall be kept in strictest confidence and will be protected by all of the accepted lawyer- client relationships.
4. Limitations on Functions:
  - A. The Students Attorney shall not represent or advise any student, student group or organization if the University is an interested party to the matter, or if it requires a University decision. The Student Attorney may advise students of University procedures for review of grievances, or decision making, and such other matters as may be authorized by the responsible University official when the Students

Attorney ascertains that the matter is subject to continuing questions by students. The Student Attorney may refer the matter to the appropriate University officer.

- i. This shall not limit the Student Attorney's ability, when appropriate, to provide advice to students regarding arrests, citations, and interactions with the University of Wyoming Police Department and its Officers.

B. The Students' Attorney shall not engage in any litigation or representation before any court on behalf of any student or student group or organization.

C. The Students' Attorney shall not advise or consult with any student group or organization.

D. The Student Attorney shall not represent or advise any student on any matter which is directly or indirectly in conflict with the interest of the University.

5. Financial Arrangements: A suitable compensation for the Students Attorney, support for the functions, hours, and other matters pertaining to the Students' Attorney shall be set forth in a written contract as may be approved by the Students Attorney Advisory Board, within available funds.

6. Students' Attorney Advisory Board:

The ASUW Student Government shall establish a committee including:

A. The Student Senator from the College of Law;

B. Five student appointed by the President of the ASUW

The President of the ASUW shall designate a chairman from among the foregoing. In addition, a member of the Law School College, a member of the Albany County Bar Association, and a representative of the University administration shall be asked to serve in an ex officio capacity without the right to vote. This Board shall appoint the Students Attorney with the advice and consent of the ASUW Senate. Such Board shall supervise the Students Legal Services and make recommendations to both the Students Attorney and the ASUW Senate.

7. Removal: The Students Attorney may be dismissed according to terms of their contract, by recommendation of two thirds (2/3) of the voting membership of the ASUW Senate.

