

SENATE BILL #1953

Title: Revision of the Students' Attorney Program

Date: March 24, 2000

Authors: Students' Attorney Board

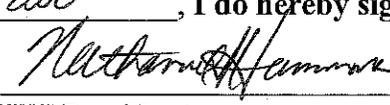
Sponsors: Senators Coates, Ford, Howieson, Mackey, Willms, and Wolf

1. WHEREAS, the Students' Attorney Program is directed and provided by the
2. Student Senate of the Associated Students of the University of Wyoming by
3. means of student fees; and
4. WHEREAS, the job description of the Students' Attorney states that the Students'
5. Attorney shall provide legal advice and referrals to the students of the University
6. of Wyoming; and
7. WHEREAS, the Students' Attorney Program has not been reviewed since the
8. 1978-79 academic year; and
9. WHEREAS, there have been significant changes in the demonstrated need for
10. legal counsel by the students of the University of Wyoming in the past twenty
11. years.
12. THEREFORE, be it enacted that the Student Senate of the Associated Students of
13. the University of Wyoming approves the Students' Attorney Advisory Board's
14. proposed changes to the Students' Attorney Program; and
15. THEREFORE, be it further enacted that the Students' Attorney Advisory Board
16. will review the Students' Attorney's litigation process for effectiveness throughout
17. the 2000-2001 school year; and
18. THEREFORE, be it further enacted that the Students' Attorney Program will

19. undergo a comprehensive review in the Spring semester, 2002 to assess
20. financial needs, litigation, and a wait list period; and
21. THEREFORE, be it further enacted that these changes become effective
22. immediately upon the approval of these changes by the University of Wyoming
23. Board of Trustees.

Referred to: Back to the committee with recommendations

Date of Passage: April 4, 2000 **Signed:** 
(ASUW Chairperson)

"Being enacted on April 6, 2000, I do hereby sign my name hereto and
approve this Senate action." 
ASUW President

The Students' Attorney Program

Statement of Purpose and Recommendation: There is a need for competent, continual legal advise to students of the University of Wyoming. Having a designated attorney available is in accordance with 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 individual students greatly benefit by having the Students' Attorney available to counsel them or refer them to another attorney when needed in regard to civil or criminal legal matter.

THEREFORE, the Student Senate of the Associated Students of the University of Wyoming, hereinafter referred to as the ASUW, desires to continue to operate a Students' Attorney program financed by student activity fees as approved by the Trustees of the University of Wyoming, and recommends that the Students' Attorney be a staff employee of the University of Wyoming with all accompanying benefits and obligations.

As a staff employee, the Students' Attorney shall function according to the terms and conditions described herein.

TERMS AND CONDITIONS

1. Qualifications: The Students' Attorney shall be an attorney admitted to the Bar of the State of Wyoming who shall perform his/her duties in accordance with the specific provisions of the Students' Attorney Job Description and the guidelines herein as approved by the Trustees of the University of Wyoming.
2. 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 legal advise in connection with personal legal problems.
 - B. The Students' Attorney shall advise and provide assistance and general information to individuals concerning the 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. Pursuant to direction by the Advisory Board provided herein, the Students' Attorney shall make presentations before interested, recognized student organizations with regard to rights and duties under the law. He/she shall also prepare relevant preventative law publications in furtherance of this objective. At no time shall this activity be in the nature of group legal advise as shall proscribed by Paragraph 3C herein, but rather shall be in the nature of preventative law and educational discourse at furthering a student citizen's role under, and understanding of, the law.
 - D. The Students' Attorney shall, for the benefit of students, establish a legal referral system in conjunction with local bar associations, and he/she shall maintain liaison with these organizations in order to develop and maintain local support for the Students' Attorney Program and facilitate effective and prompt handling of

referrals.

- E. The Students' Attorney, through the advisement of the Students' Attorney Advisory Board, shall charge appropriate user fees to students utilizing the Students' Attorney for the drafting of documents and court appearances.
- F. The Students' Attorney, through the advisement of the Students' Attorney Advisory Board, shall seek the placement of a student intern from the third-year class of the University of Wyoming College of Law. This intern will practice in accordance with Wyoming law under the Students' Attorney's license and will be utilized to maximize the students' benefit and the intern's educational growth.
- G. The Students' Attorney shall devise a working system, such as a wait list, to determine the priority of handling clients once the maximum number of cases that the Students' Attorney and staff can reasonably handle has been reached.

3. Limitations of Functions:

- A. The Students' Attorney shall not represent or advise any student group or organization if the University is an interested party to the matter or if it requires a University decision. He/she 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. He/she may refer the matter to the appropriate University officer.
- B. The Students' Attorney shall not advise or consult with any student group or organization.
- C. The Students' Attorney shall not represent or advise any student on any matter which is directly or indirectly in conflict with the interest of the University.
- D. The Students' Attorney shall not represent or advise any student on any matter in which another student of the University of Wyoming is identified as an interested party.
- E. The Students' Attorney shall limit the scope of his/her practice, under the direction of the Students' Attorney Advisory Board, to no more than four areas of law. These areas shall at no time include representation in child custody, personal injury cases, class action suits, or felony cases.
- F. The Students' Attorney shall limit representation to cases that do not exceed a set dollar amount, which will be established by the Students' Attorney Advisory Board. This amount should coincide with the limitations for small claims court.

4. Position subject to University of Wyoming Standards: The Students' Attorney position shall qualify as an exempt position from the Fair Labor Standards Act. As an University of Wyoming exempt employee, the Students' Attorney shall have all the rights, privileges, and limitations that standard includes. In accordance with the applicable provisions of University Regulation #249, the Students' Attorney shall be responsible to the Director of the Office of Student Life for business and personnel matters.

5. Secretary, etc. Provided: The Students' Attorney shall be provided with a secretary and/or answering service/reception service, office space and furnishings, allowance for office and equipment supplies, telephone and limited legal research supplies for use in the Students' Attorney program.
6. Financial Arrangements: A suitable compensation for the attorney shall be reviewed by the Director of the Office of Student Life in consultation with the Chair of the Students' Attorney Advisory Board, as governed by University Regulations and annual University policies or practices regarding salary adjustments. The Students' Attorney Advisory Board shall assist the Office of Student Life by providing timely input for the annual personnel planning and evaluation process. Budgetary considerations, beyond salary and insurance, shall be submitted by the Students' Attorney to the Students' Attorney Advisory Board for review prior to submission to the annual ASUW Budget and Planning process.
7. Students' Attorney Advisory Board: The Student Senate of the ASUW shall establish a committee including:
 - A. The Student Senator from the College of Law.
 - B. Seven students appointed by the president of the ASUW.
 - C. Ex-officio representation by a member of the College of Law, a member of the Albany County Bar Association, and a representative of the University of Wyoming administration. These members shall not have the right to vote.

The ASUW Vice-President shall designate a chairman from the above members. The Board shall appoint the Students' Attorney with the advise and consent of the ASUW Senate. Such Board shall supervise the Students' Attorney program and make recommendations to the Students' Attorney, the University of Wyoming Office of Student Life, and the ASUW Senate.

The Students' Attorney shall meet regularly with the Advisory Board and review the operation of the program and to seek interpretation by the Board of the guidelines herein.

8. Written Report Required: The Students' Attorney shall submit a written report to the ASUW and the President of the University of Wyoming containing a statistical analysis of the services performed by him/her hereunder and his/her evaluation of the Students' Attorney program at the following times: (1) a complete analysis of the preceding year shall be due before the first Senate meeting of the new year; (2) a report of the first semester's services shall be due by the first day of February; (3) a complete statistical analysis of the current year shall be due prior to the end of the term of this agreement. This report shall include a break down of the number of total contacts in each area of law to the Students' Attorney's office, the number of referrals the Students' Attorney made in each area of law, and the number of actual advisement sessions the Students' Attorney made in each area of law. This report shall also include a detailed list of the number of cases handled in each area of law that the Students' Attorney practices.
9. Termination and Removal: The Students' Attorney may terminate his/her employment by giving thirty (30) days notice to the ASUW. The ASUW may remove the Students' Attorney only for valid cause and shall provide a full statement of the reasons for removal actions. The Students' Attorney shall be entitled to a hearing on such removal before the

ASUW Student Senate and may be dismissed according to his/her employment terms by recommendation of two-thirds (2/3) of the voting membership of the ASUW Senate. This process, however, may occur only after the Students' Attorney's rights and privileges as a University of Wyoming employee have been duly satisfied.

10. General Responsibility: The Students' Attorney is solely responsible for the quality and correctness of services that are provided as in the case of a practicing attorney or other professional person. The University, including the Trustees, officers, and the ASUW, do not assume any responsibility for actions or advise by the Students' Attorney incident to fulfillment of his/her functions.

April, 2000