



Santa Barbara SCHOOL DISTRICTS

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Date: September 17, 2009
 To: Dr. J. Brian Sarvis, Superintendent
 From: Dr. Kristine Robertson, Director of Personnel
 Subject: **Approval of the Legal Services Contract Renewal with Liebert Cassidy Whitmore for the 2009-1010 School Year.**

Consent Agenda: X

Background

Liebert Cassidy Whitmore, a professional law corporation, provides legal services to the Santa Barbara School Districts as a member of the Santa Barbara Legal Consortium. Each year a contract renewal document is submitted for our consideration. The services provided under the consortium contract include base legal services, telephone consultation, collective bargaining support, preparation of written legal opinions, on-site meetings as requested by the district, and attends student discipline hearings. This membership renewal also includes the LCW Firm Newsletter, legal updates and annual legislative updates.

Fiscal Impact

\$24,690.00 (amount based on 6000+ADA)

Funding Source

General Fund

Recommendation

It is recommended that the board approve the contract renewal for Legal Services with Liebert Cassidy Whitmore for the 2009-2010 school year.

Attachment(s)?	<input checked="" type="checkbox"/>	Yes (if so, please attach)	<input type="checkbox"/>	No	<input type="checkbox"/>	<i>Powerpoint</i>	<input type="checkbox"/>	<i>Overhead</i>	<input type="checkbox"/>	<i>Consultant</i>
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EXHIBIT 1
DESCRIPTION OF LEGAL SERVICES

Basic Legal Services

Base legal services are defined as follows: telephone consultation; on-site meetings as requested by the District, preparation of written legal opinions; and student discipline hearings. In return for the base legal services, the District will be charged a flat retainer fee based on the ADA as certified by the Santa Barbara County Office of Education. The fee shall be calculated as follows:

<u>ADA</u>	<u>Base Hours</u>	<u>Annual Retainer</u>
0 - 750	20	\$ 2,725.00
751 - 1500	35	\$ 5,325.00
1501 - 3000	65	\$10,590.00
3001 - 6000	110	\$17,670.00
6000 +	150	\$24,690.00

The base legal services include the firm newsletter and legal updates, and the annual legislative update.

Litigation Services

Litigation services and services in excess of the basic general counsel services are charged on an hourly rate that is discounted from our regular rate. Litigation includes, but is not limited to, proceedings in state or federal court; employee grievances; employee discipline cases; layoffs; student discipline appeals and matters before

administrative tribunals such as PERB, DFEH, EEOC, or the Special Education Hearing Office. Litigation costs are charged by the hour and depend on the billing rate of the attorney assigned or requested by the District.

Current rates are:

Partners	\$260/hour - \$290/hour
Associates	\$160/hour - \$240/hour
Of-Counsel	\$240/hour - \$260/hour
Paraprofessionals	\$100/hour - \$130/hour

Discounted Rates for members of the Santa Barbara Legal Consortium are:

Partners	\$245/hour - \$275/hour
Associates	\$145/hour - \$225/hour
Of-Counsel	\$225/hour - \$245/hour
Paraprofessionals	\$85/hour - \$115/hour

Collective Bargaining

Collective bargaining for which mandated costs may be recovered will be charged on an hourly basis.