

Town of Carroll, NH

Use of town Counsel, Authorized use of Town Counsel.

Town counsel, being a cost based service to the Town of Carroll, is within the scope of the Select Board oversight. The expense of this service can become cost prohibitive if the Select Board fails to control access, monitor use and track expenditures to town counsel. Therefore the Select Board adopts this policy for use and access of Town Counsel.

The Town of Carroll use of Town Counsel services from any land board chair (elected, appointed or acting), select person and select board secretary are the only positions that are authorized user(s) of Town Counsel services for the Town of Carroll, NH. Further **ALL** requests for town counsel services require approval from the Select Board **PRIOR** to submission to town counsel. LGC (Local Government Center) should be approached **FIRST** for their position as this is a free of charge service afforded to the town of Carroll.

All requests of Town Counsel services will be copied to the Select board and the select board secretary. The Select Board will review the request for town Counsel Services at regular Select Board meetings to approve or deny the request. In the unlikely event that an answer has to be secured from town counsel immediately than the selectman can have a special meeting, satisfying all public notification requirements, to review the request. If approved, then the select board can forward the request to town counsel with the understanding that the request needs to be answered before the next regular select board meeting otherwise the Town Counsel will respond within 2 weeks after receipt of the request. If the request pertains to town personnel the review of request will be decided during executive session. All request other than personnel issues, existing litigation issues or issues with a strong potential of future litigation issues, then the request will be discussed and voted during the public meeting portion of the Select Board meeting. If the request is granted, the Select Board secretary will forward the request to Town Counsel. Town counsel shall reply directly to the Select Board secretary, the select Board and the chair that is requesting Town Counsel position. It is understood, per this policy that no lawyer/client privileges exist (except as noted above) as this is public money for public purposes with public boards. If the request for Town Counsel services is denied the person requesting town counsel services will need to use LGC (Local Government Center). Town counsel May request from the Select Board to directly communicate with an applicant's counsel if the selectman approve, however all correspondences from both sides will copies the select board and the select board secretary.