

Legal Services Review Subcommittee, Arlington School Committee

Community Safety Room – July 15, 2010 – 7:00 p.m.

DRAFT Minutes

In Attendance:

Subcommittee Members: Joseph A. Curro, Jr., Chair
Kirsi Allison-Ampe, M.D.
Judson Pierce

Call to Order

The Chair called the meeting to order at 7:07 p.m.

Public Participation

None.

Approval of Minutes

On motion of Mr. Pierce, seconded by Mr. Curro, the minutes of June 2, 2010 were approved by a vote of 2-0-1, with Dr. Allison-Ampe abstaining.

Status Update

The Chair updated the subcommittee on progress to date in the assembly of an inventory of relevant legal services utilized by the school district and requests by the Town Government Reorganization Committee to consider the possibility of joint bargaining counsel with the Town. The Chair also reminded the subcommittee that the District is currently on an hourly basis with Stoneman, Chandler & Miller, pending the outcome of subcommittee and full committee deliberations on the matter of legal counsel.

The Chair reported on a brief fact-finding meeting with representatives of the firm Morgan, Brown & Joy, and he distributed an information packet from the firm. Mr. Pierce shared that he had met with a representative of Prince Lobel and likewise distributed an information binder.

The Chair reminded all that as this process moves forward, there will be an expectation that any Committee or staff members involved in the decision-making process who might have an appearance of a conflict of interest by way of personal or professional ties to any candidate firms will be expected to file a disclosure with the Town Clerk.

Discussion of Research and Evaluation Process

The Chair distributed a list of EDCO member districts and suggested that the subcommittee contact School Committee counterparts in each EDCO public school district to determine their experience with legal counsel. It was suggested that committee members conduct phone conversations based on a set of agreed-upon questions.

Accordingly, responsibility for contacting individual districts was agreed to, as follows:

Mr. Curro: Acton, Acton-Boxborough, Belmont, Boxborough, Lexington, Waltham, Weston

Dr. Allison-Ampe: Bedford, Carlisle, Concord, Concord-Carlisle, Newton, Watertown

Mr. Pierce: Brookline, Lincoln, Lincoln-Sudbury, Manchester-Essex, Sudbury, Wellesley

It was also agreed to request that Dr. Bodie be asked for information regarding Winchester.

Following the apportionment of tasks, the following questionnaire was developed:

Survey of School District Legal Services

STATEMENT OF PURPOSE: As part of the Arlington School Committee's ongoing research into options for legal representation of our School District, we are contacting colleagues in other public school districts to get a sense of how they have approached these issues.

Do you use same counsel for all school services (i.e., collective bargaining, school law, SPED, other)?

Have you ever considered a different structure (i.e., multiple vs. single counsel)? Why or why not?

Has there ever been consideration of using joint labor counsel with the Town or City?

How does your School Department utilize the services of your Town Counsel or City Solicitor?

Whom do you use for counsel and how long have they been retained by your District?

How are your rates structured and how much you are charged? Are you under a retainer, and – if so – what is the term of your agreement?

When you last made a decision about representation, how did you approach it?

What is the involvement of your School Committee in the selection and oversight of outside legal counsel?

What are one or two strengths of the current firm(s)?

What are one or two weaknesses of the current firm(s)?

Have you been satisfied with your representation and results in labor disputes (e.g., grievances and arbitrations)? Special education hearings? Collective bargaining? Other?

Is there anything else you would like to share?

Do you feel comfortable identifying your District in responses?

Do you feel comfortable being personally identified?

Other Business

Subcommittee members agreed to meet on Wednesday, July 28 at 7:00 p.m. to report on their progress.

Adjournment

At 8:07 p.m., Dr. Allison-Ampe moved to adjourn, seconded by Mr. Pierce, and approved unanimously.