



## APAAC

### Executive Training

December 1, 2016 ~ 3:00-5:00 p.m.

The Civil Legal Function of County Attorneys

Amelia Craig Cramer, Chief Deputy Pima County Attorney

#### 1. Statutory Mandates

- a. Civil advice, civil litigation, and contract review
  - i. Board of Supervisors
  - ii. Other elected officials
  - iii. County Administrator
  - iv. Planning and Zoning Commission and Boards of Adjustment
  - v. Code enforcement – zoning, building, environmental, health
  - vi. Condemnation actions
  - vii. Tax collection
  - viii. Special taxing districts (jail, water, flood control, stadium, library, etc.)
- b. Court-ordered evaluation and treatment of those suffering mental illness
- c. Investigation of alleged election law violations
- d. Investigation of alleged employment of illegal aliens

#### 2. Arizona Public Records Law

- a. FOIA versus Arizona Public Records Law
- b. What is a public record?
- c. What types of public records must or may be kept confidential?
- d. What can be charged for copies?
- e. How quickly must public records be produced?

#### 3. Arizona Open Meetings Law

- a. What types of entities are subject to OML?
- b. Notice required for meetings – timing and contents
- c. Meetings include any gathering of a quorum
- d. Electronic meetings are included
- e. Hub and spokes communications count
- f. County Attorneys, as well as the A.G., investigate alleged violations and enforce OML

#### 4. Ethical Rules

- a. Competence
- b. Allocation of authority between client and lawyer
- c. Confidentiality
- d. Conflicts of interest
- e. Imputation of conflicts
- f. Organization as client
- g. Trial publicity
- h. Managerial responsibility
- i. Misconduct
- j. Andrew Thomas disbarment

#### 5. Client Representation Letter

- a. The unique role of the government lawyer
- b. Who is the client?
- c. Confidentiality and attorney-client privilege
- d. Respective roles of clients and lawyers
- e. Communications
- f. Who is the client representative with final authority?
- g. What happens if there is a conflict of interest?
- h. What advice will our office not render?
- i. Outside counsel