**Policy Change Cover Sheet**

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| **This form must be attached to each policy presented. All areas in red, including the header, must be completed; if not, it will be sent back to you for completion.** |
|  | *I****f the changes you are requesting include housekeeping, please submit those changes to*** ***ndsu.policy.manual@ndsu.edu*** ***first so that a clean policy can be presented to the committees.*** |
| **SECTION**:  | 712.1 Legal Representation |
| 1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
 |
| * Is this a federal or state mandate? [ ]  Yes [x]  No
* Describe change: Changes to remove General Counsel language from document. Matt Hammer, state attorney general’s office representative to campus, collaborated on these changes with the Office of the Provost.
 |
| 1. **This policy change was originated by (individual, office or committee/organization):**
 |
| * Charlene Wolf-Hall, Vice Provost
* Charlene.hall@ndsu.edu / melissa.lamp@ndsu.edu
 |
| ***This portion will be completed by Mary Asheim.***Note: Items routed as information by SCC will have date that policy was routed listed below. |
| 1. **This policy has been reviewed/passed by the following (include dates of official action):**
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| **Senate Coordinating Committee:** |  |
| **Faculty Senate:** |  |
| **Staff Senate:** |  |
| **Student Government:** |  |
| **President’s Cabinet:** |  |

The formatting of this policy will be updated on the website once the **content** has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

**North Dakota State University
Policy Manual
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**SECTION 712.1**

**LEGAL REPRESENTATION**

### SOURCE: SBHE Policy Manual, Section 607.1

Any attorney representing the University must have an appointment as a Special Assistant Attorney General.  All requests for legal representation shall be approved and coordinated through the State Attorney General’s Office.  There must be a contract for legal representation approved by the State Attorney General’s Office.  Any payment for legal fees must be approved first by the President.

Request for SAAG appointments come from the President and go through the SBHE Chancellor’s office, and then to the Attorney General.

Further information on legal representation can be found at:
[N.D.C.C. § 32-12.2-03](http://www.legis.nd.gov/cencode/t32c12-2.pdf), regarding the personal liability and defense of employees;
[N.D.C.C. § 54-12-08](http://www.legis.nd.gov/cencode/t54c12.pdf), regarding assistant and special assistant attorneys general; and
North Dakota Attorney General brochure: “[Liability of State Employees](http://www.ag.state.nd.us/Brochures/FactSheet/LiabilityStateEmployees.pdf).”

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HISTORY:

New February 16, 2011