



# MARICOPA COMMUNITY COLLEGES FACULTY ASSOCIATION

INSPIRE EDUCATE CREATE

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## LEGAL CONSULTATION REQUEST PROCEDURE

In every instance, the Faculty Association will attempt to resolve disputes in a manner acceptable to all parties, including the Faculty Association.\*

To request a legal consultation, you must be an Active Member of the Faculty Association in good standing and must submit a written request, on the attached form, to your College Senate President. By submitting this request, you acknowledge the Faculty Association's right to cease representation in the event that you are no longer an Active Member in good standing. You further acknowledge that you will be responsible for fees and costs of any legal representation obtained if you are no longer an Active Member in good standing.

The College Senate President will submit the request to the Council of Presidents.\*\* By majority vote, the Council of Presidents will determine whether a request constitutes a grievable issue under the RFP, or an issue of concern for the Faculty Association as a whole. In extraordinary circumstances, the Faculty Association President may approve a request for legal consultation without convening the Council of Presidents. A member who receives legal consultation consents to disclosure of communication occurring between the attorney and the member to the Council of Presidents, and if necessary, the Faculty Executive Council.

Once a request for legal consultation is approved, the member shall have access to a lawyer for counsel regarding her/his legal issue. The attorney will represent the member and will pursue a matter to the extent appropriate solely according to her/his professional legal judgment. The Faculty Association will pay for legal representation through and including an administrative hearing, as circumstances warrant. The Faculty Association will not cover the costs of legal representation in litigation, whether or not an administrative hearing has been held. Legal representation for continuing matters will be reviewed by the Council of Presidents on a semesterly basis.

\*Attempted Resolution:

1. Attempts to resolve a dispute will include the use of the grievance/resolution of controversy procedures section of the RFP.
2. The Faculty Association will not support legal representation of one faculty member against another unless the faculty member accused is acting in an administrative capacity.
3. Requests for legal assistance will be granted if a situation is either grievable or falls under the resolution of controversy section of the RFP, or represents an issue of interest to the Association as a whole.

\*\*Faculty not assigned to a college should submit their form to the Faculty Association President who will submit the request to the Council of Presidents.

## REQUEST FOR LEGAL CONSULTATION

I request a legal consultation for the following reason. Please make specific reference to the RFP section, or other policy violation:

I have made the following attempts to resolve this matter:

The outcome I hope to achieve is:

*I am a current member of the Faculty Association. I consent to the terms and conditions of the Legal Consultation Request Procedure.*

Name \_\_\_\_\_ College \_\_\_\_\_

Personal Email \_\_\_\_\_ Home Phone \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**FA USE ONLY Do not write in the box below**

FA Member in Good Standing \_\_\_\_\_

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ More Information \_\_\_\_\_

FA President or President Elect Signature \_\_\_\_\_ Date \_\_\_\_\_