

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 943

Amend MCC 7.200-202 to change name of office from County Counsel to County Attorney
(Stricken language is deleted; double-underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC 7.200-7.202 are amended as follows:

COUNTY COUNSEL~~ATTORNEY~~

§ 7.200 Office Established.

An office of County ~~Counsel~~Attorney is established. The County ~~Counsel~~Attorney is the Chief Legal Officer of the county and shall be the Office Director. The County ~~Counsel~~Attorney shall be appointed by the Chair subject to consent of a majority of the entire Board. The County ~~Counsel~~Attorney may be removed from office by the Chair after first consulting with each other member of the Board concerning the decision.

§ 7.201 Duties.

The County ~~Counsel~~Attorney shall:

- (A) Provide legal advice and counsel to the Board and its various advisory boards, commissions and committees;
- (B) Provide legal advice and counsel to the Chair and all county departments and offices;
- (C) Provide legal advice and counsel to the Sheriff and Auditor;
- (D) Prepare ordinances and other legal documents when requested by a member of the Board, Chair, Sheriff, ~~a~~Auditor or ~~a~~ department director;
- (E) Review and approve as to form all written contracts, ordinances, resolutions, Board orders, Chair executive ~~orders~~rules, bonds and other legal documents;
- (F) Control and supervise all civil actions and legal proceedings in which the county is a party or has a legal interest;

(G) Represent and defend the county and its elected officials, boards, commissions, committees, department directors and employees and other persons entitled to representation under the state Tort Claims Act in all appropriate legal matters, unless the county has an insurance policy or indemnification agreement which provides such representation and defense;

(H) Initiate, defend, appear or appeal any legal action, matter or proceeding in any court or tribunal when requested by the Board, Chair, Sheriff or ~~a~~Auditor;

(I) Submit formal annual report to the Board concerning the status of all legal actions in which the county is a party, and at the request of any elected official report on the status of any legal matter;

(J) Prepare formal written opinions deemed necessary by the County ~~Counsel~~Attorney regarding significant interpretations of federal and state law, the Charter and ordinances and other documents. Formal opinions may be requested by any county elected official or department director. Formal opinions shall be official guidance to the county unless superseded by court or administrative decisions, or subsequent legislation or administrative rules;

(K) Maintain custody of records including the office pleadings and other documents of all legal actions, and all County ~~Counsel~~Attorney formal written opinions;

(L) Codify county ordinances as provided by Chapter 1 of this code of ordinances;
and

(M) Employ outside legal counsel on behalf of the county when the County ~~Counsel~~Attorney deems it necessary or appropriate to do so. A majority of the entire ~~b~~Board may also employ outside legal counsel for a specific county matter, and a majority of the entire ~~b~~Board may authorize a ~~b~~Board member, ~~s~~Sheriff, District Attorney or ~~a~~Auditor to retain outside legal counsel to advise the elected county official on a specific county matter. The ~~b~~Board shall specify the amount of the elected official's budget that may be appropriated for this purpose. With these exceptions no county elected official, board, commission, committee, department director or employee shall employ or be represented by counsel other than the County ~~Counsel~~Attorney.

§ 7.202 Relationship to County.

The county and the office of County ~~Counsel~~Attorney shall have an attorney-client relationship and the county is entitled to all benefits thereof. For purposes of the attorney-client relationship, the county is a single entity and its elected and appointed officials collectively and individually perform duties and exercise county legal authority.

Section 2. The County Attorney is authorized to revise any other code sections and all written contracts, ordinances, resolutions, Board orders, Chair executive rules, bonds and other legal documents to change the name of the office from County Counsel to County Attorney.

FIRST READING:

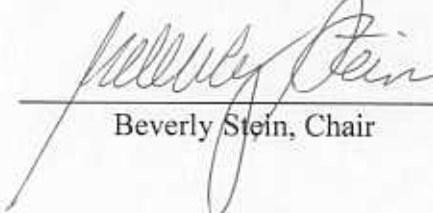
February 17, 2000

SECOND READING AND ADOPTION:

February 24, 2000




BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Attorney
For Multnomah County, Oregon



Thomas Sponsler, County Attorney