

Agenda Item #7B: Update on Legal Services

The Secretary of the County Committee for School District Organization provided county committee members the following message on September 27, 2024.

“The Orange County Superintendent of Schools has engaged Tony De Marco, a Partner with law firm of Atkinson, Andelson, Loya, Ruud, & Romo, to review the situation related to the change in OCDE General Counsel and to determine whether OCDE’s Legal Services Division has any conflicts of interest which would preclude its attorneys from representing the County Committee. Mr. De Marco will be given all relevant facts and information, including the history of interactions between relevant counsel and the County Committee, and he will conduct an independent analysis. We anticipate his work will be concluded in approximately two weeks.”

This agenda item will provide an update on this work.

References:

The Bylaws of the Orange County Committee on School District Organization in Section 233 – “Attorney” states:

“The Legal Services unit of the Orange County Department of Education shall provide legal services for the County Committee, except that other counsel may be employed as needed.”

Reference: E.C. 4011 Adopted: 12/7/2005

Bylaws are located on the OCDE website at:

<https://ocde.us/CCSDO/Documents/County%20Committee%20on%20School%20District%20Organization%20Bylaws%2012.2023.pdf>

Education Code Section 4011 reads:

(a) The county counsel, or if there is no county counsel, the district attorney, may provide legal services to the county committee.

(b) In any county in which the board of supervisors has transferred functions and duties to the county board of education pursuant to Section 1080 and the county board of education has agreed to include the expenses of the county committee in the single budget adopted pursuant to Section 1623 for which a county tax is levied, the county committee may appoint legal counsel in the same manner that the county superintendent of schools of that county may appoint counsel. The expenses of an appointment pursuant to this subdivision shall be a proper charge against the county school service fund.

(Added by Stats. 1982, Ch. 1214, Sec. 3. Effective September 22, 1982.)

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4011.&lawCode=EDC