

THE CITY UNIVERSITY OF NEW YORK

Office of the General Counsel and Vice Chancellor for Legal Affairs

535 East 80 Street, New York, N.Y. 10021

212/794-5382



**Administrative Advisory
Memorandum No. 3**

December 5, 1990

To: College Presidents
From: Robert E. Diaz
Re: Written Requests for Legal Opinions

The purpose of this memorandum is to explain the services that the Office of General Counsel provides and establish a protocol for requesting a written legal opinion from the Office of the General Counsel.

The Office of General Counsel is generally available for consultation on any college or University related issue that involves a legal question. However, to avoid repetition of inquiries, ensure that this office is only responding to inquiries college presidents deem necessary to perform their duties, and ensure the orderly flow of requests for legal opinions from the campuses, the assistance of the office should be requested in writing by the college president. College presidents may, if they wish, designate key staff members who are authorized to request a legal opinion.

Inquiries should be made with as much lead time as possible to provide the staff of the Office of General Counsel with adequate time to conduct research and prepare a written response.

All written inquiries should include sufficient documentation and a complete statement of facts and be addressed to me. At a minimum, the written inquiry should provide the following information:

1. The names of all relevant parties.
2. A complete and candid narrative description of the events giving rise to the inquiry, preferably in chronological order.
3. The legal question(s) as best you can phrase it.
4. Appropriate background information, such as the impact you perceive an affirmative or a negative response would have on the functioning of your unit.
5. If this issue or one like it has arisen before, what did you do then, why and with what result? Was any legal advice given at the time? If so, what was it?
6. Such other information as you may deem helpful in analyzing the matter and preparing a response.

The Office of General Counsel provides advice only on matters involving the colleges and the University or which concern the activities of personnel acting within the scope of their employment. Staff resources do not permit addressing purely hypothetical questions unrelated to a real issue currently facing a college or the University.

Legal assistance may be obtained from the office via the telephone to handle emergency situations. Staff seeking legal guidance or wishing to consult with an attorney on routine matters may also call the office for assistance. The general telephone number is 212-794-5382.

It is suggested that when you call, please indicate whether your question relates to a commercial matter or non-commercial matter.

c: Legal Affairs Designees

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