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5-210 Student Legal Assistance Program

- A. The Board authorizes each university to cooperate with the duly elected student officers in establishing and maintaining a campus position designed to advise, counsel, and assist students in areas involving legal and quasi-legal problems. The program shall be conducted in compliance with general policies set forth below and shall further be subject to the Board's usual and customary control of all university operations as set forth in the constitution and the statutes of the State of Arizona.
- B. The student legal assistant program shall be administered under the jurisdiction of the university vice president responsible for student affairs. The position shall be funded from budgeted funds designed for student activities.
 - 1. Where the position of student legal assistant will be filled by the appointment of a qualified university employee, then budgeted funds shall include an amount necessary to cover appropriate fringe benefits, FICA taxes, and other normal employee-related expenses. The appointment may provide for full- or part-time service. If part-time, and the person holding the position is not otherwise employed at the university, the person may also practice law in a private capacity.
 - 2. Where the position of student legal assistant will be filled by the procurement of appropriate professional services pursuant to ABOR Policy 3-801, et. seq. (University Procurement Code), then budgeted funds shall include an amount sufficient to meet the payment requirements of the contract awarded.
- C. The student legal assistant may be chosen in a manner agreed upon by the student governing body and the university administration consistent with Board procurement procedures where applicable, but the appointment or contract award shall be made by the university vice president responsible for student affairs.
- D. The student legal assistant shall counsel and advise students and shall, if appropriate, refer students to the county legal aid society or the county bar association legal referral service. Attempts shall be made to resolve problems through counseling, negotiation, and conciliation. Mediation

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may also be utilized if the parties and students so elect. In the event the legal assistant is not successful in resolving a problem, he or she may refer the student to the above-mentioned sources for additional legal aid. The student legal assistant shall not represent a student in any adversarial proceedings, judicial or administrative, shall not charge a fee to students, shall not represent a student charged with violation of the Arizona Criminal Code or the Board's Code of Conduct, and shall not either directly or indirectly participate as an attorney in any litigation on behalf of a student against the State of Arizona, the United States government, county or municipal governing bodies, nor the officers, agencies, appointees, employees or other representatives of such political entities, including the university and university officers and employees.

- E. Any attorney-client relationship shall be derived solely from the limited counseling, advising, and referral services provided as student legal assistant. No referral shall be made to specific attorneys or firms of attorneys except where a county legal aid society is serving as the student legal assistant.
- F. The student legal assistant shall be a member of the Arizona State Bar in good standing or a law firm or other entity whose members are qualified to practice law in Arizona. The student legal assistant shall abide by the professional ethics requirements to which all attorneys practicing in Arizona are subject. The student legal assistant shall be hired for a period not to exceed one year and the funding for the position shall be subject to change or deletion at each budgeting sequence of the university's student association.
- G. Any student legal assistant who is also practicing law in a private capacity shall not represent any student whom the student legal assistant has consulted, counseled, advised, or otherwise assisted while serving in the capacity of student legal assistant.
- H. The university administration may discontinue the program if the program adversely affects the proper functioning of the university or is determined not to be in the best interests of the university.