

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION
Policy and Procedures Manual

SUBJECT: PERSONNEL

Policy 702.4 – Appointment; legal counsel

Adopted: April 12, 1976; Revised: July 24, 1987 ; [May 27, 2021](#)

Board policy

A. The Board of Regents authorizes the Commissioner of Higher Education to employ a legal staff on its behalf. A chief legal counsel shall be located within the Office of the Commissioner of Higher Education and shall have the responsibility to supervise and direct all other system legal counsel at the direction of the commissioner.

B. With the concurrence of the president, system legal counsel may be located on the campus of Montana State University and the University of Montana. Such campus based legal counsel are to be paid from campus funds at rates determined by the Commissioner after consultation with and a recommendation from the president of the campus, and approved by [the Board of Regents Commissioner in accordance with Board of Regents Policy 711.1](#). Campus based legal counsel will normally perform day to day activities under the direction of the campus president, but campus based legal counsel are considered to be a regular integral part of the system legal staff and shall perform legal work for the system or any campus at the direction of the chief legal counsel. In the event that any member of the system legal staff performs a significant amount of work for a campus and the attorney's salary is not derived from that campus, the Commissioner may direct that the campus make reasonable reimbursement to the fund from which the attorney's salary is initially derived.

C. No legal counsel employed by the university system may render any professional services for compensation for any person or organization without prior written permission of the Commissioner, nor may the legal counsel be reassigned or hold any other position without prior written approval of the Commissioner of Higher Education.