

UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES		
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LEGAL ASSISTANCE FROM ATTORNEY GENERAL		
<p>RATIONALE: Due to the complexities of drafting Policies and Procedures, court procedures, interpreting case law, statutes, and contracts, the Division requires the legal expertise of the Office of the Attorney General.</p> <p><i>Replaces:</i> 01-05 Legal Assistance from Attorney General</p>		
Original Effective: August 11, 2004	Revision: July 5, 2023	Next Review Due: July 5, 2026

I. DESCRIPTION

The Division receives legal assistance from the Office of the Attorney General for formulating policy, advising on cases, interpreting case law and administrative rules, developing and reviewing contracts, and Division representation before courts and other appropriate bodies. A request for legal assistance must be approved by the Division Director or designee.

II. POLICY

- A. Requests for legal opinions and representation shall be submitted to the Division Director or designee, who reviews and forwards, as needed, those requests to the Division's assigned attorney with the Office of the Attorney General.
- B. Legal questions from Division facility/program staff regarding the law, administrative rules, policy, and contracts, shall be submitted to the Division Director or designee. At the discretion of the Division Director or designee, legal questions may be submitted to the assigned attorney with the Office of the Attorney General for review to ensure the legality of form and content. State office staff who work with the Office of the Attorney General, as part of their regular work duties, may directly seek advice from the assigned attorney without explicit permission from the Division Director or designee.
- C. All documents and other forms of communication received by Division staff, Youth Parole Authority members, and volunteers, imposing or suggesting legal action or lawsuits, including; subpoenas, complaints, summons, and orders to show cause, shall be immediately sent to the Division Director or designee upon receipt, for

review and coordination with the Office of the Attorney General to provide a proper legal review.

III. Continuous Renewal

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team and is approved upon the signature of the director.



Brett M. Peterson, Director
Division of Juvenile Justice & Youth Services

07/05/2023
Signature Date