3-09/210.00 - Legal Research and County Counsel Opinions

Formal opinions from the county counsel may only be requested by the Sheriff. The Office of the Sheriff shall transmit all requests for formal opinions to the county counsel. Employees shall not make direct inquiries of the county counsel's office except as specifically authorized by the Sheriff.

Informal county counsel advice, legal research information and assistance concerning Department matters are available from the Legal Unit of the Executive Planning Council Staff. Except for those with specific authorization, requests for such service shall be made, whenever possible, in writing, from a unit commander or above and directed to the Legal Unit, which shall research the matter in question and prepare an appropriate response.

If the subject necessitates a formal county counsel opinion, they shall secure the concurrence of the county counsel representative.

If the subject requires a formal county counsel opinion, the Legal Unit shall:

- Seek approval of the concerned division chief or division director, when the request is from a lower management level;
- Prepare correspondence requesting a formal opinion for signature of the Sheriff, undersheriff, or concerned assistant sheriff directed to the county counsel; and
- Submit the request for formal opinion through the office of the concerned assistant sheriff or undersheriff.