

Dear Elected Officials and Department Heads,

This message is for purposes of informing you of the assigned areas of civil responsibility of attorneys in the Civil Division of the County Attorney's Office and clarifying the matters handled by the members of the Civil Division of the office.

The division of responsibilities within the Civil Division is mainly for organizational purposes and so you may have a known "first contact" or primary contact person who focuses on that particular area, but you may contact either Civil Division attorney as needed on any legal matter.

Civil Chief / Of Counsel, Henry "Hank" Prejean:

- Defense representation of Elected County Officials and employees on suits against them individually ; also represents County as a governmental unit to the extent authorized by Commissioners Court
- Legal advisor to the Sheriff and Sheriff's Department on various matters including matters related to the Sheriff's official duties; attends DRB's (Disciplinary Review Board hearings) and handles legal issues of the Sheriff's Department
- Answers any questions you have with regard to employment law and personnel-related matters. I recommend you also contact Lisa Zirkle-Human Resources as well.
- Answers questions and responds to claims and potential litigation against Elected County officials and their employees, and others upon request.
- Handles pre-suit damage claims (with the exception of utility/right-of way property damage claims under \$ 10,000 which are handled by Shannon Francis)
- Represents the County as claimant or plaintiff seeking recovery of damages or presenting contract claims that may result in litigation, when requested to do so by a Department Head or by Commissioners Court. If necessary files suit for County as plaintiff upon authorization from Commissioners Court
- Subpoenas for records directed to officials and employees of the Sheriff's Office, the Tax Assessor-Collector's Office and when requested by EMS: upon request, reviews, advises and responds to subpoenas for records served on officials and employees of those offices (Shannon handles subpoenas for all other Elected Officials' Offices)
- Assists the Sheriff 's Office and the Tax Assessor-Collector with Public Information Act requests (Shannon handles all other Elected Officials' Public Information Act requests)¹
- Civil Enforcement of Open Meetings Act violations and complaints related to alleged violations
- General Counsel, as needed, on other matters; upon request, legal advice to County and Precinct Officials regarding the official duties of that official

Shannon Francis:

- Advises Constables , JP's and answers questions related to civil process, or execution and writs
- Advises other Elected County and Precinct Officials on issues related to the official duties of that official
- Handles all Mental Health cases
- Handles all Misdemeanor Bond Forfeitures for the County Attorney's Office
- Public Information Act requests: assists Elected Officials and their employees with all Public Information Act requests (All Elected Officials and their employees except the offices of Sheriff and Tax Assessor-Collector – *for example*, County Clerk, District Clerk, County Treasurer, Constables, JP's, etc.)
- Civil Enforcement of all Public Information Act violations and complaints related to alleged violations
- Handles utility/right-of way property damage claims under \$ 10,000
- Subpoenas for records directed to officials and employees: upon request, reviews, advises and responds to subpoenas for records served on officials and employees of all Departments *except* the Sheriff's Office, the Tax Assessor-Collector and EMS

For the time being, Expunctions, Non- Disclosures and Occupational Driver's License matters will be divided among the criminal law attorneys.

All **proposed Contracts** to be considered/approved by Commissioners Court and Interlocal Agreements for all Departments, *including Elected Officials*, should be referred to **Hal Hawes**, Legal Advisor to the Commissioner's Court

¹ **Hal Hawes** handles legal questions and issues related to Public Information Act requests for the Commissioners Court and Departments under the Court