	<b>DEPARTMENT OF PUBLIC SAFETY</b>  <b>DEPARTMENT ADMINISTRATION</b> <b>POLICY AND PROCEDURES</b>	<b>EFFECTIVE DATE:</b> <b>JUN 23 2008</b>	<b>POLICY NO.:</b> <b>ADM.01.07</b>
		<b>SUPERSEDES (Policy No. &amp; Date):</b> <b>ADM.01.07 of 1/14/93</b>	
<b>SUBJECT:</b> <b>LEGAL OPINIONS, REQUEST FOR</b>		<b>Page 1 of 2</b>	

## 1.0 PURPOSE

- .1 To establish guidelines for requesting legal opinions from the Attorney General.
- .2 To establish a written record of legal opinions for future reference.

## 2.0 REFERENCES AND DEFINITIONS

Inter-departmental Memorandum No. 1987-2 from the Attorney General, dated March 3, 1987.

## 3.0 POLICY

All issues of a complex nature in which a legal opinion is sought from the Attorney General shall be in writing and processed through the Office of the Director. This does not preclude oral requests for advise of opinion from the Office of the Attorney General if the issue is considered to be relatively simple or straightforward in nature.

## 4.0 PROCEDURES

Those issues that are considered to be of a more complicated or involved nature shall be processed as follows:

- .1 Prepare a draft for an inter-departmental memorandum to be signed by the Director and addressed to the Attorney General. The memorandum draft will be formatted as follows:
  - a. A brief statement of the legal problem or problems involved.
  - b. A chronological statement of the facts with any applicable attachments such as letters, documents, photos, etc., as well as references to applicable laws and rules affecting the problems that are known.
  - c. A discussion of the problem(s).
  - d. An administrative interpretation of the problem and any past practices with respect to the issue.

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e. Any administrative problems which could result from various possible legal interpretations.

.2 Transmit the draft through the chain of command for review and forwarding to the Office of the Director.

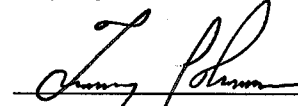
**5.0 SCOPE**

This policy applies to all divisions and staff offices of the Department.

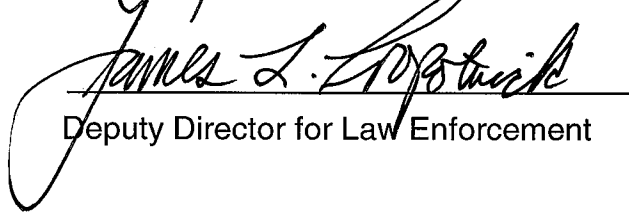
APPROVAL RECOMMENDED:

  
Deputy Director for Administration

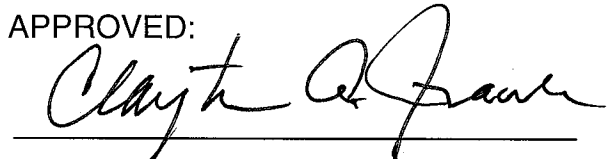
6/6/08  
Date

  
Deputy Director for Corrections

6/18/08  
Date

  
Deputy Director for Law Enforcement

6-19-08  
Date

APPROVED:  
  
Director

6/23/08  
Date