



Legislation Text

File #: 20-593, **Version:** 1

Office of the City Attorney Legal Ethics Guidelines Policy Regarding Fire District Exclusions

Presenter:

Wynetta Massey, City Attorney/Chief Legal Officer

Summary:

Update to Council regarding an amendment to the Office of the City Attorney Legal Ethics Guidelines (the “Ethics Guidelines”) focused on fire district exclusion litigation.

Background:

The Ethics Guidelines are supplemental to the Colorado Rules of Professional Conduct and address matters specific to the City Attorney’s representation of the City of Colorado Springs. In 2014, the City Attorney promulgated the Ethics Guidelines. Since 2014, there have been amendments related to Criminal Prosecutions: Interactions with Defendants and the Public, and Plea Negotiations. The amendment promulgated by the City Attorney is found in Ethics Guidelines Sec. III(B) (City Attorney as Advocate), and is highlighted in the attached document.

Previous Council Action:

In 2014, the City Attorney briefed City Council on the Ethics Guidelines, and a briefing has been included in the City Attorney’s New Councilmember Orientation for the Councilmembers sworn-in in 2015, 2017, and 2019.

Financial Implications:

The financial impact is minimal because the City is a party to fire district exclusion litigation regardless of who initiates the exclusion litigation. If the City Council requests the City Attorney to initiate fire district exclusion litigation in accord with the Ethics Guidelines, the City Attorney will advise the Council of any anticipated extraordinary expenses.

City Council Appointed Board/Commission/Committee Recommendation:

N/A

Stakeholder Process:

The stakeholders for the Ethics Guidelines are the City Attorney and the attorneys in the City Attorney’s Office. This amendment to the Ethics Guidelines was drafted by the City Attorney and reviewed by a committee comprised of one Senior Attorney, two Division Chiefs, and the Deputy City Attorney before final promulgation by the City Attorney.

Alternatives:

N/A.

Proposed Motion:

N/A. Informational item only.

N/A.