

WALSH, ANDERSON,
BROWN, GALLEGOS
and GREEN, P.C.

ATTORNEYS AT LAW

NEW MEXICO
LEGAL SERVICES RETAINER AGREEMENT
FOR
GADSDEN
INDEPENDENT SCHOOL DISTRICT

The Gadsden Independent School District (hereinafter "District"), acting by and through the authorized Trustee or Employee whose signature appears below, hereby retains the law firm of Walsh, Anderson, Brown, Gallegos & Green, P.C. (hereinafter "Law Firm"), to provide the services to the District set forth below.

1. Telephone Consultation: The Law Firm shall provide telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director, or designee pertaining to questions arising out of the general operation of the District. The District shall have access to a statewide toll-free telephone number for calls to the Law Firm.
2. Additional Legal Work: The District shall be entitled to an hourly rate of \$180 for additional legal work over and above initial telephone consultations. Examples of such additional legal work are follow-up telephone calls, legal research, opinion letters, document or policy reviews, consultation with other attorneys in the firm, office visits, participation in board meetings, attendance at IEP meetings, representation in discharge or termination hearings, special education due process hearings and litigation. Expenses incurred by the Law Firm in providing such additional legal work shall also be charged.
3. Publications: The Law Firm shall provide at no charge six issues per year of the publication *School Law with Walsh Anderson New Mexico*, published by the Law Firm.
4. E-mail Updates: The Law Firm shall send periodic e-mail updates to designated District personnel and trustees relating to developments in school law. The content and publication schedule of such updates shall be determined solely by the Law Firm.
5. Retainer Term and Cost: There shall be a fee of \$1,000.00 plus applicable gross receipts taxes for this Retainer Agreement due upon execution and annually thereafter on the anniversary of the execution date below. This Retainer Agreement shall remain in effect until notice of cancellation is received.
6. Scope of Attorney-Client Relationship: This Retainer Agreement establishes a limited attorney-client relationship only between the Law Firm and the District. The relationship exists only as to the consultations and additional legal work that are

initiated by the District and accepted by the Law Firm pursuant to this Agreement. The Retainer Agreement does not impose any duty upon the Law Firm to provide advice or work to the District regarding legal matters absent a request by the District's Board President, Superintendent, Special Education Director, or designee for such advice or work on a matter. The Law Firm and the District acknowledge and represent that this Agreement does not establish an attorney-client relationship between the Law Firm and any individual Trustees or Employees of the District. If a lawsuit or other adversarial matter is brought against the District and/or any Trustee or Employee of the District, the Law Firm may require the execution of one or more separate Letters of Engagement prior to undertaking an attorney-client relationship in the matter.

Executed this _____ day of _____, 2011.

GADSDEN INDEPENDENT SCHOOL DISTRICT

By: _____
(Signature)

(Print Name)

(Title)

WALSH, ANDERSON, BROWN, GALLEGOS & GREEN, P.C.

By: _____
Oscar G. Treviño
Managing Shareholder

WALSH, ANDERSON,
BROWN, GALLEGOS
and GREEN, P.C.

ATTORNEYS AT LAW

BENEFITS OF THE WALSH ANDERSON RETAINER PROGRAM FOR NEW MEXICO SCHOOLS

- 1. FREE TELEPHONE CONSULTATION:** The law firm provides unlimited telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director or any designee pertaining to questions arising out of the general operation of the District. Last year, our member clients received an average of 8 free hours of telephone consultation. That is a \$1,300 value in telephone calls alone!

As a retainer client, the District has exclusive access to the statewide toll-free telephone numbers for calls to the law firm. Before making decisions with legal consequences, use our exclusive toll-free number to reach any Walsh Anderson attorney:

- Albuquerque (800) 771-6864
- Austin (800) 252-3405

- 2. FREE SUBSCRIPTIONS TO FIRM PUBLICATIONS:** Membership in the Walsh Anderson Retainer Program also entitles the District to receive a free subscription to our firm newsletter:

- (1) the informative bi-monthly newsletter "*School Law with Walsh Anderson New Mexico*" that provides timely reminders and practical suggestions about both general education law issues and special education issues arising throughout the school year

- 3. E-MAIL UPDATES:** As another benefit of the Retainer Program, Walsh Anderson sends periodic e-mail updates to you (and to any other District personnel or trustees you designate) to help keep the District abreast of the latest developments in school law. These updates, averaging more than one per month, address a broad range of timely topics and are designed to keep you informed and better prepared in your work for the District.

Don't let your District personnel miss our next update!

WALSH, ANDERSON,
BROWN, GALLEGOS
and GREEN, P.C.

ATTORNEYS AT LAW

NEW MEXICO PUBLIC SCHOOLS LEGAL SERVICES
FEE SCHEDULE

For retainer program clients

An annual retainer fee of \$1,000 plus applicable gross receipts tax is billed each year on the anniversary of the Client joining the program.

Telephone consultation with school officials in this program regarding initial general routine legal matters is free of charge. The firm has a toll-free telephone number that is made available to these clients.

An hourly rate of \$180 for attorneys is charged for time spent on research, opinion letters, office visits, board meetings, and other work of a general nature.

For matters requiring more in-depth work, such as document review, negotiation of a contract, grievance, nonrenewal, review of constructions documents, litigation, administrative appeals, and the like, all time, including telephone calls, is charged at the current hourly rates shown above, plus expenses and applicable gross receipts taxes. A new file is set up so that the billings show legal fees attributable to that particular matter.

For non-retainer program clients

No annual fee is required.

An hourly rate of \$180 for attorneys is charged for time spent on any work, including all telephone calls, office visits, litigation, research, opinion letters, hearings, and the like.

The above rates are subject to change at any time.