



March 15, 2018

D2018-02

TO: DAA Board Presidents and Chief Executive Officers
SUBJECT: Requesting Legal Services from the CDFA Legal Office & Attorney
General's Office

As you are aware, the California Department of Food and Agriculture (CDFA) provides legal services to District Agricultural Associations (DAAs). These legal services are funded by the CDFA Fairs & Exposition Branch (F&E Branch) and provided by the CDFA Legal Office. To ensure that legal requests are timely processed, please review and follow the procedures set forth below.

Requesting CDFA Legal Services through the F&E Branch

1. Submit legal requests in writing to John Quiroz, at John.Quiroz@cdfa.ca.gov. Please provide the following information:

- A brief description of the legal issue(s), facts and related documents. Examples include: Contracts; Board meeting notice, agenda, minutes; invoices; etc.
- Identify the specific goal or outcome you would like.
- Requested response date.

The F&E Branch will work with the DAA to identify a reasonable response date depending on the complexity of the legal issue. Some requests may require an expedited response and can be marked urgent. Straight forward agenda and document reviews normally have a one or two business day turn around.

The next DAA Board meeting, as well as the urgency of the matter and complexity of the legal issue, often dictates an appropriate response date for purposes of reporting to the Board or scheduling a closed session with the Legal Office. Please keep this in mind as you prepare for Board meetings.

2. Once the Legal Office receives the request, the attorney assigned will contact the CEO to discuss.

The Legal Office will make themselves available to attend a Board meeting to provide legal advice and to receive direction from the Board during a closed session. Please make your request as far in advance to allow CDFA staff to attend the board meeting.



Requesting Services through the Attorney General's Office (AG's Office)

The F&E Branch has received questions through its Fair Committee regarding how DAAs may request legal representation from the Attorney General's Office (AG's Office). The following procedure is based on the attached CDFA *Attorney General Services Policy*. Please note that any hourly charges incurred by a DAA for legal services from the AG's Office will be the responsibility of the DAA.

Requests for AG Services are also submitted through the F&E Branch. The Board President and Vice President or relevant committee should communicate the Board's request to the F&E Branch. The request should include all relevant documentation and justification as to why AG's Office representation is needed.

The AG's Office represents DAAs in judicial or administrative proceedings as the litigator for the DAA with the assistance of the Legal Office as the DAAs' primary attorney. Examples of these proceedings include litigation filed in court or a formal hearing before the Labor Commissioner. If a DAA is served with a summons and complaint, all relevant documents must immediately be forwarded to John Quiroz at John.Quiroz@cdfa.ca.gov and the Legal Office at CDFA.LegalOffice@cdfa.ca.gov.

Upon receipt, the Legal Office will expedite a referral to the AG's Office. Even when represented in proceedings by the AG's Office, the Legal Office is still the DAA's primary attorney, and will work closely with the assigned Deputy AG.

For requests other than judicial or administrative proceedings, the Legal Office will prepare and submit a legal memo and recommendation to the Governor's Office for review and approval. Upon approval, the Legal Office will refer the issue to the AG's Office.

If you have any questions feel free to contact me at John.Quiroz@cdfa.ca.gov or (916) 900-5025.

Sincerely,



John Quiroz
Branch Chief, Fairs & Expositions

Cc: Michele Dias, General Counsel, Legal Office

Attachment