

ARTICLE IV. - COUNTY ATTORNEY^[5]

Footnotes:

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Cross reference— Courts, ch. 123; special acts pertaining to circuit court, ch. 272; special acts pertaining to law library, ch. 273.

State Law reference— Power of county commissioners to provide for the prosecution and defense of legal causes and retain counsel and set their compensation, F.S. § 125.01(1)(b).

Sec. 21.40. - Appointment; removal; qualifications.

The county attorney shall be appointed or removed by the board of county commissioners. The county attorney shall be a member in good standing of the Florida Bar and, in addition, be admitted to practice before the United States District Court for the Northern District.

(Ord. No. 90-2, § 9, 1-23-90; Ord. No. 91-16, § 9, 9-24-91)

Sec. 21.41. - Duties; responsibilities.

The county attorney shall be the attorney both for the board of county commissioners, the legislative branch, and the county manager, the executive branch, except as may otherwise be provided by ordinance or resolution. The duties and responsibilities of the county attorney shall include:

- (a) Providing advice and representation for the legislative branch.
- (b) Providing advice and representation for the executive branch.
- (c) Providing advice and representation for officers created under article VIII, section 1(d), of the Florida Constitution, if requested by such officers.
- (d) Providing advice and representation for the various boards, departments, committees, or agencies created by the legislative branch, or similar agencies or organizations created by legislative action of the state legislature where the county attorney is designated to provide representation.
- (e) Prosecute and defend all legal actions by and against the county as approved by the board; provided, however, the county attorney is authorized and directed to take such action on behalf of the county as to protect the rights of the county in any legal action, pending an opportunity to request required approval of the board.
- (f) Settling, adjusting or compromising affirmative claims on behalf of Alachua County, Florida, either before or after suit is filed, when the amount of the claim does not exceed \$7,500.00. The county attorney shall file, on a quarterly basis, a report with the board of county commissioners reflecting the number of claims settled pursuant to this section and the monetary amount of settlement of each claim.
- (g) Select and employ a deputy county attorney, assistant county attorneys, attorneys, and other law clerks, paralegals, and clerical positions as are required to properly perform the duties of the office of county attorney and as are funded by the budget adopted by the board.

(Ord. No. 90-2, § 10, 1-23-90; Ord. No. 91-16, § 10, 9-24-91; Ord. No. 93-25, § 1, 8-17-93)

Sec. 21.42. - Special attorneys.

Special attorneys shall be appointed only for the purposes and in the manner prescribed in this section.

- (a) Special attorneys to the board may be appointed by ordinance or resolution, providing a description of the duties to be performed and the compensation to be paid.
- (b) Special attorneys may be appointed to represent the county in legal actions involving specific matters, subject to approval by the board. Such approval shall be by motion.
- (c) Bond counsel shall be selected and appointed by the board from one or more qualified names submitted to the board by the county attorney and the county manager.

(Ord. No. 90-2, § 11, 1-23-90; Ord. No. 91-16, § 11, 9-24-91)

Sec. 21.43. - Compensation.

The board shall fix the compensation to be paid to the county attorney, and the county attorney shall determine the compensation to be paid to the deputy county attorney and each assistant county attorney from funds appropriated for such purpose by the board.

(Ord. No. 90-2, § 12, 1-23-90; Ord. No. 91-16, § 12, 9-24-91)

Cross reference— Personnel, ch. 23.