



County adopts legal services plan

BY SCOTT BRODEN • SBRODEN@DNJ.COM • June 19, 2010

Rutherford Neighborhood Alliance members contend the County Commission's new legal services agreement gives County Attorney Jim Cope too much power to hire lawyers for the government.

Past alliance president Steve Schroeder and current RNA president Susan Allen addressed the 21-member commission Thursday before it approved the agreement with Cope, who has served as county attorney since the mid-1980s.

"The RNA wants the county's business controlled by officials elected by the people, such as the mayor and members of this commission, and not by appointees," Schroeder said.

Under the agreement, Cope will act as county attorney beginning July 1 with his legal services running through July 1, 2012. The goal will be to hire a full-time county attorney after the initial agreement to provide counsel the mayor, commission and department heads and prepare and examine legal documents.

After the initial agreement with Cope expires, he would still be under contract for at least a year longer to handle litigation.

"In the fourth year, we would have a right to assign all new litigation cases to an in-house county attorney," County Commissioner John Rodgers said.

The agreement calls for the county to pay Cope at least \$6,000 per month and more if his and his associates' hourly billing rate exceeds \$6,000. Cope will earn \$250 per hour and his associates \$150 per hour.

Prior to approving the legal services agreement, the commission unanimously approved a new private act state law arrangement with the Tennessee General Assembly to update how the county is served by the county attorney and other lawyers with the consent of the commission.

Schroeder said he takes issue with the agreement

that stipulates that hiring outside counsel requires the recommendation of the mayor with the advice, approval and consent of the county attorney.

"It is not clear why the county needs the approval and consent of an appointed official to conduct county business," Schroeder said. "The proposed language from the Steering Committee means that the county attorney, an appointed official, has veto authority over the mayor and the commission."

Rodgers supports giving Cope oversight on who the mayor should recommend. He joined 20 other commissioners in supporting the legal services agreement with only Commissioner Ronald Williams voting against it.

"Jim Cope has been our county attorney for decades, and he has done an outstanding job for us," said Rodgers, a Murfreesboro attorney who serves as the chairman of the commission's Steering, Legislative & Governmental Committee. "I am personally not concerned that he give consent to hiring outside counsel. I would want his input to such a decision."

"I know of no one better suited to make a recommendation of outside counsel than Jim."

The agreement also specifies that the county commission, county mayor, county employees and other county representatives can't serve as the county attorney.

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