

OFFICE OF THE  
COUNTY ATTORNEY  
POTTER COUNTY, TEXAS

RQ-0147-JC

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SONYA LETSON  
COUNTY ATTORNEY

Opinion Committee November 12, 1999

OPEN RECORDS DIVISION

Honorable John Cornyn  
Attorney General of Texas  
P. O. Box 12548, Capitol Station  
Austin, Texas 78711-2548

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
NO. Z 443 249 887

Re: Authority of juvenile board to contract for representation by private attorney and responsibility for payment of associated fees

FILE # ML-4113-99  
I.D. # 4113

Dear General Cornyn:

The Commissioners Court of Potter County, Texas has requested that we seek an opinion from your office concerning the following questions:

1. Does the Potter County Juvenile Board possess legal authority to directly contract with private counsel for representation of the juvenile board in a mandamus action brought against the board by Potter County through the Potter County Commissioners Court?
2. If the juvenile board possesses such authority and capacity, what is the appropriate source of funds for payment of the juvenile board's counsel?
3. What control, if any, does the commissioners court possess over that funding source?

Our brief, enclosed herewith, addresses the authorities which we believe bear upon these questions. We eagerly anticipate your opinion, and stand ready to provide any further information or material your office may request.

Sincerely,

SONYA LETSON  
Potter County Attorney

Encl. as stated

xc (w/o attach.):  
Members of Potter County Juvenile Board  
Members of Potter County Commissioners Court  
Ms. Charlotte Bingham  
Mr. James Besselman