

Senfronia Thompson  
Chair



Will Hartnett  
Vice-Chair

House of Representatives  
Committee on Judicial Affairs

26 November 2002

FILE # ML-42909-02  
I.D. # 042909

The Honorable John Cornyn  
Attorney General of Texas  
ATTN: OPINIONS COMMITTEE  
Price Daniel, Sr. Building  
Austin, Texas 78701

**RQ-0002-GA**

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OPINION COMMITTEE

RE: Request for Opinion on school board payment for legal fees to a third party

Dear General Cornyn:

A school district in my legislative district was sued in a whistleblower suit concerning an alleged misappropriation. The school district prevailed in both the original suit and the appeal. At all times, the whistleblower remained in the employment of the school district.

Despite having won the suit, and against the advice of board counsel, the Board subsequently voted to award \$20,000 in legal fees to the law firm which represented the whistleblower.

In light of having incurred no liability in court, was this payment from public funds permissible under state law?

Should you have any further questions, please contact Pat in my Capitol office at 463-0720. I look forward to your response.

Sincerely,

Senfronia Thompson  
Chair

P.O. Box 2910 ☆ Austin, Texas 78768-2910 ☆ 512-463-0790

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