



MEMORANDUM

Date: May 11, 2005
To: Clients
From: Paul C. Minney, Esq.
Re: Top Ten (really 15) Ways to Save Money on Legal Fees

The following is a short list of suggestions developed by the attorneys at SMYM to assist charter schools in reducing annual legal fees. This list was presented as part of SMYM's Annual Workshop on "Avoiding Revocation, Nonrenewal and Revocable Audit Exceptions!"

Top ten ways to reduce legal fees:

1. Designate a point person at the charter school who will be responsible for communicating with legal counsel. Tell legal counsel that only the designated person may request legal services.
2. Be sure to get an estimate of the time that a project may take prior to engaging legal counsel. Ask for frequent check-ins from legal counsel on project status and time.
3. Seek assistance of legal counsel when an issue first arises. Many times early legal advice can save the charter school a great deal of time and money in the long run.
4. An ounce of prevention is worth a pound of cure. Be sure to put in place necessary legal documents to protect your organization (e.g., employment contracts, personnel policies, student contracts, complaint procedures, internal fiscal controls, etc.).
5. Ask your attorney when the work can be done by the charter school and reviewed by the attorney – this self-help method will reduce costs.
6. Make sure your attorney is experienced with charter school law; otherwise they will first have to learn charter school law in order to answer your questions.
7. Make sure your law firm has a wide body of experienced lawyers; this will create economies of scale that will benefit the charter school. Otherwise your lawyer will have to learn new areas of complex law (e.g., special education, facilities, nonprofit law, fiscal and compliance audits, labor law etc.).
8. Ask if the law firm gives a discount on billing if the bills are paid in 30 days or if the charter school keeps a retainer on balance.
9. Be sure to keep all of your legal opinions, letters and other communications from your lawyer in one place for future reference; this way you can avoid asking the same question twice.

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10. Do not assume that forms or advice from other charter schools or public schools is legally defensible. Many charter schools copy forms of school districts. In one case, this led to a massive audit exception against the charter school because the forms were out of date.
11. Be sure to confer with the California Department of Education. The CDE Charter Schools Division's new mission is to provide assistance to the charter school field. Be sure to get advice in writing if you can.
12. Stay current with your corporate formalities. Do not ignore or delay in responding to notices from the Secretary of State, IRS, Franchise Tax Board, or Attorney General. Many times a failure to file a timely annual notice will lead to fees being assessed as a penalty.
13. Stay current with the changes in the law. Attend annual conferences by statewide associations and law firms on changes in the law and best practices.
14. Stay organized and retain ALL correspondence (emails, notes, letter, calendar items etc.) from the granting agency, county, or state in one location for easy reference.
15. Be sure to document ALL of your communications with the granting agency. The best practice is to follow all communications, agreements, meeting etc. with an email summarizing pertinent points and action items.