

**Models of Representation for Social Services
Summer Conference 2011
Discussion Scenarios**

1. Attorney is an employee of DSS. DSS attorney and county attorney sometimes confer on high-profile cases. County attorney disagrees with DSS attorney's legal analysis or strategy. What happens next? Would your response or recommendations change if the DSS attorney is an assistant county attorney? Or a contract attorney?
2. The DSS Board chooses a new chairperson. The new board chair asks the attorney to attend every meeting of the board. What is the role of the attorney? Should the attorney attend every meeting? If so, in what capacity? Does the model of representation affect your recommendations?
3. DSS attorney is a contract attorney. The attorney identifies a conflict of interest between a DSS matter and a private domestic matter. The DSS director asks the attorney to terminate the relationship with the other client. What should the attorney do? Are there comparable conflicts that come up in the other models?
4. Board of County Commissioners wants to review a case file because the case is getting a lot of negative media coverage. The Director does not think that the Board is allowed to review the file. The staff attorney agrees with the Director but the assistant county attorney agrees with the Board. What happens next? Would your response or recommendations change if the DSS attorney is an assistant county attorney rather than a staff attorney? Or a contract attorney?
5. Staff attorney was hired by previous DSS director. Someone else is the county attorney. There is a falling out between (1) the DSS Board and the Board of County Commissioners on one side and (2) the DSS director on the other. The DSS attorney thinks that the boards may be looking for a way to fire or sanction the director. What is the staff attorney's role in this situation? Would your response change if it is an assistant county attorney rather than a staff attorney? Or a contract attorney?
6. DSS director terminates a DSS employee. Employee knows the DSS attorney well because they have worked on many cases together. Employee asks to meet with the attorney to discuss the termination. What is the attorney's role? How should the attorney respond? Does the model of representation affect the likelihood of this scenario occurring? Does it affect the outcome or recommendations?