

52-7-202 Procedure for submitting claim -- Representation of certain public officers by named counsel -- Certain claims barred.

(1) From and after July 1, 1987, within 30 days after a public officer is served with a copy of the complaint, a public officer named as a defendant in a civil suit that alleges a violation of Article V of the Utah Constitution shall provide the Legislative Management Committee and the legislative general counsel with the following information:

- (a) a brief summary of the claims against him;
- (b) the name of the attorney or law firm that will represent him;
- (c) the estimated hourly fee that the attorney or law firm will charge for representing the public officer; and
- (d) an estimate of the hours that the attorney projects are necessary to resolve the lawsuit.

(2)

- (a) Unless prohibited by the rules governing the conduct of attorneys adopted by the Utah Supreme Court under the authority of Article VIII, Sec. 4 of the Utah Constitution, the Office of the Attorney General, the Office of Legislative Research and General Counsel, or the general counsel for the judicial branch shall represent a public officer named as a defendant in a civil suit that alleges a violation of Article V of the Utah Constitution if the Utah Constitution, statutes, or rules require that such representation be provided.
- (b) If a public officer is represented by the Office of the Attorney General, the Office of Legislative Research and General Counsel, or the general counsel of the judicial branch under Subsection (2)(a), the public officer may not present a claim for attorney fees or court costs under this chapter.

Renumbered and Amended by Chapter 382, 2008 General Session