

Vision 2020 Strategic Plan Alignment – University General Counsel

Planning Framework

Unit Goals, Metrics, and Timeline

Current Strategies

Major Accomplishments

Aspirations

Mission

The University General Counsel (UGC) supports the mission of NMSU and enhances risk management efforts by providing timely, accurate and highly valuable legal advice and representation for the institution's board and executive leadership, as well as other campus stakeholders as assigned.

Vision

UGC serves the university by finding appropriate legal avenues to support opportunities which advance the institution's mission, without creating unnecessary or unacceptable levels of legal risk.

Values

UGC values independent analysis, timeliness, truth and accuracy in every project, communication and statement of advice that we provide to NMSU's stakeholders.

Goal 1: Coordinate the defense and resolution of litigation brought against NMSU in the most efficient and effective manner possible, and use each case as an opportunity to evaluate operational improvements to avoid future litigation.
Metric: open lawsuit number less than 10 at any given moment; settlements paid are less than \$300K in aggregate per FY. **Timeline:** ongoing
 Vision 2020 Goal Alignment: Indirectly ALL Goals

- A. Assign .35 FTE attorney to manage litigation.
- B. Early evaluation of case for potential settlement and use of ADR to facilitate settlement ASAP thereafter.
- C. Case root cause analysis with recommendation of proactive measures to avoid future cases.
- D. Regular training sessions for leadership.

- i. Twelve lawsuits closed in CY 2017.
- ii. RMD defense obtained for all pending cases other than 1 construction dispute.
- iii. Only 8 current open litigation files; favorable resolution of Avalos and LeNoir cases.
- iv. Substantial reduction in new civil rights based claims.

- Formal root cause analysis and briefings relating to each case.
- Training sessions for all supervisors (not just academic administrators)
- Increase case oversight.

Goal 2: Update the rules and policies that govern NMSU, in both substance and online presentation.
Metric: take at least 4 major rule revisions and 20 minor revisions through the AR P 1.10 process to ARP/ARPM update each FY. **Timeline:** ongoing
 Vision 2020 Goal Alignment: Indirectly ALL Goals

- A. Assign .90 FTE attorney to policy and rule work
- B. Prioritize rules and policies identified by leadership as most critical.
- C. Push items through pipeline with proactive scheduling at AAG

- i. Full recompilation of separated policy manual and procedures
- ii. Transition to web based format for ARP and RPM completed.
- iii. SharePoint site established for policy/rule review.
- iv. Completion of 33 policy/rule matters and revised BOR bylaws and committee charters in CY 17.

- Comprehensive update of all HR policies undertaken with HR leadership.
- Revision of Title IX and discrimination rules.
- Develop single due process/hearing process rules for all types of proceedings.
- Implement regular policy/rule review process with deadlines.

Goal 3: Provide timely and useful legal advice and research for NMSU leadership and designees on an as requested /needed basis.
Metric: close at least 30 legal consult files per month; total open file number under 230; requests prioritized and assigned within 1 business day; high impact matters acted upon (initial) within 2 business days; all requests receive some response within 2 weeks. **Timeline:** ongoing
 Vision 2020 Goal Alignment: Indirectly ALL Goals

- A. Assign 1.20 FTE attorney to general internal legal requests
- B. Utilize electronic file management and assignment system
- C. Weekly staff meetings to evaluate status updates and adjust workload.
- D. Use legal assistant to take load on routine legal demands.
- E. Utilize new contract management syst.

- i. Purchase and implementation of Legal Files system; full transition to electronic file management and tracking.
- ii. Training provided to all academic administrators and CES leadership. Several General Advice topics delivered at UAC.
- iii. Client Legal Matter files closed in CY 2017 = 478.

- Training sessions for all supervisors (not just academic administrators)
- Additional new 1.0 FTE attorney staffing
- Reduce response time for all requests to 5 business days or less
- More frequent General advice statements and robust FAQ's on website
- Reduction in work request backlog.

Goal 4: Manage and coordinate all Inspection of Public Records requests and subpoenas received by NMSU in a timely and efficient manner.
Metric: initial response sent by deadline in 98% of all requests; responsive documents provided within 15 days in 75% of all requests; plan developed for web based document portal. **Timeline:** ongoing
 Vision 2020 Goal Alignment: Indirectly ALL Goals

- A. Assign .30 attorney to handling of IPRA's and other routine external legal demands (garnishments & bankruptcies).
- B. Training of unit based IPRA records custodians to handle routine requests.
- C. Begin discussion with Purchasing to evaluate public document portal options.

- i. IPRA tracking system developed and implemented in Legal Files software.
- ii. No IPRA complaints filed with Atty Gen.
- iii. Total of 166 IPRA's closed in calendar year 2017.

- Robust online public record portal with all athletics contracts, procurement documents, major service contracts.

Goal 5: Initiate development of a comprehensive compliance monitoring plan for NMSU system.
Metric: Director hired and initial plan outline approved by chancellor (stage 1)
 Timeline: Ongoing but stage 1 by November 1, 2018.
 Vision 2020 Goal Alignment: Indirectly ALL Goals

A. Mandatory compliance training modules satisfy some compliance requirements.
No comprehensive strategy is in effect. Compliance performed by various units without coordination or systematic assessment.

- i. Mandatory compliance training modules completed and reported for 2016.
- ii. Roll out of 2017 mandatory compliance training (report due April 2018)
- iii. Provide oversight and support for the Athletics Compliance Office and OIE office, both of which have significant compliance components.

- Obtain approval, post position and hire Director of Compliance programs
- Develop outline for comprehensive compliance program in conjunction w/ offices currently performing compliance functions
- Begin systematic compliance plan implementation.