



STATE OF ARKANSAS

Department of Veterans Affairs
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Asa Hutchinson
Governor

Nathaniel (Nate) Todd
Director

PERSONNEL

ADVAP 2-18

January 1, 2012

Attorney General's Opinions

1. **GENERAL:** The Arkansas Attorney General has a responsibility to provide legal opinions to state agencies. This procedure details certain requirements that are directive on all agencies who are under the supervision of the Governor.
2. **SCOPE:** This procedure will apply to all employees of the Arkansas Department of Veterans Affairs (ADVA), and is specifically directed at all supervisors whose duties might entail legal issues for which clarification might be deemed appropriate.
3. **REFERENCES:**
 - a. Governor's Policy Directive GPD-2, January 1995.
 - b. Governor's Staff Meeting instructions, July 17, 1996.
 - c. A.C.A. 10-3-312 (Act 798 of 1987), Arkansas Legislative Council implementing instructions and related correspondence pertaining to litigation and reporting requirements.
4. **RESPONSIBILITIES:**
 - a. All supervisors will:
 - 1) Ensure that any request for an Attorney General's Opinion is put in writing, with full justification, and forwarded to the Director, ADVA.
 - 2) Ensure that any known or possible litigation that might involve, be directed at, or otherwise impact on the ADVA will be brought to the

ADVA Director's attention, on an expeditious basis, to include non-duty hour notification when warranted or if the seriousness of the situation is unknown.

- 3) Ensure that supervised employees have knowledge of the requirement to keep their supervisor informed of any occurrence that might be covered by this procedure.

b. The Director, ADVA will:

- 1) Review and approve all requests for an Attorney General's Opinion and review the severity and circumstances of any litigation that has been reported to her/him.
- 2) Comply with GPD-2 by coordinating with the designated members of the Governor's staff as to Attorney General's Opinions and or knowledge of any litigation.
- 3) Obtain approval of the Governor's office before proceeding with a request for an Attorney General's Opinion or before proceeding with actions that would result in the employment of outside counsel for any agency requirements.

c. In the absence of the Director, ADVA, and when time constraints are such that near immediate action is required, the ADVA Director's responsibilities will devolve to the Assistant Director, ADVA.

d. The Human Resources Analyst will retain a folder with all specific guidance, contacts when designated, and a log of actions taken under this guidance.

5. SUPERSESSION: This procedure supersedes ADVAP 2-18, July 24, 1996 in its entirety.

6. FORMS PRESCRIBED: None.

By:

Nathaniel (Nate) Todd
Director

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