

**NEW MEXICO LEGAL SERVICES RETAINER AGREEMENT
FOR GADSDEN INDEPENDENT SCHOOL DISTRICT**

The Gadsden Independent School District (hereinafter "District"), acting by and through the authorized Board Member or Employee whose signature appears below, hereby retains the law firm of Walsh Gallegos Treviño Russo & Kyle P.C. (hereinafter "Law Firm"), to provide the services to the District set forth below.

1. Telephone Consultation: The Law Firm shall provide telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director, or designee pertaining to questions arising out of the general operation of the District. The District shall have access to a statewide toll-free telephone number for calls to the Law Firm.
2. Additional Legal Work: The District shall be billed for additional legal work over and above initial telephone consultations. Hourly rates are subject to change with 30 days advanced written notice. Examples of such additional legal work are follow-up telephone calls, legal research, opinion letters, document or policy reviews, consultation with other attorneys in the firm, office visits, participation in board meetings, attendance at IEP meetings, representation in discharge or termination hearings, special education due process hearings and litigation. Expenses incurred by the Law Firm in providing such additional legal work shall also be charged.
3. Publications: The Law Firm shall provide at no charge six issues per year of the publication *School Law with Walsh Gallegos New Mexico*, published by the Law Firm.
4. E-mail Updates: The Law Firm shall send periodic e-mail updates to designated District personnel and Board Members relating to developments in school law. The content and publication schedule of such updates shall be determined solely by the Law Firm.
5. Retainer Term and Cost: There shall be a fee of \$1,000.00 plus applicable gross receipts taxes for this Retainer Agreement due upon execution and annually thereafter on the anniversary of the execution date below. This Retainer Agreement shall remain in effect until notice of cancellation is received.

6. Scope of Attorney-Client Relationship: This Retainer Agreement establishes a limited attorney-client relationship only between the Law Firm and the District. The relationship exists only as to the consultations and additional legal work that are initiated by the District and accepted by the Law Firm pursuant to this Agreement. The Retainer Agreement does not impose any duty upon the Law Firm to provide advice or work to the District regarding legal matters absent a request by the District's Board President, Superintendent, Special Education Director, or designee for such advice or work on a matter. The Law Firm and the District acknowledge and represent that this Agreement does not establish an attorney-client relationship between the Law Firm and any individual Board Members or Employees of the District. If a lawsuit or other adversarial matter is brought against the District and/or any Board Member or Employee of the District, the Law Firm may require the execution of one or more separate Letters of Engagement prior to undertaking an attorney-client relationship in the matter.

GADSDEN INDEPENDENT SCHOOL DISTRICT

By: _____

(Signature)

(Print Name)

(Title)

(Date)

WALSH GALLEGOS TREVIÑO RUSSO & KYLE P.C.

By: _____

Joe A. De Los Santos
Managing Shareholder

(Date)



NEW MEXICO LEGAL SERVICES FEE SCHEDULE

For retainer program clients

An annual retainer fee of \$1,000 plus applicable gross receipts tax is billed each year on the anniversary of the Client joining the program.

Telephone consultation with school officials in this program regarding initial general routine legal matters is free of charge. The firm has a toll-free telephone number that is made available to these clients.

An hourly rate of \$215 for attorneys is charged for time spent on research, opinion letters, office visits, board meetings, and other work of a general nature.

For matters requiring more in-depth work, such as document review, negotiation of a contract, grievance, nonrenewal, review of constructions documents, litigation, administrative appeals, and the like, all time, including telephone calls, is charged at the current hourly rates shown above, plus expenses and applicable gross receipts taxes. A new file is set up so that the billings show legal fees attributable to that particular matter.

For non-retainer program clients

No annual fee is required.

An hourly rate of \$215 for attorneys is charged for time spent on any work, including all telephone calls, office visits, litigation, research, opinion letters, hearings, and the like.

The above rates are subject to change at any time.

BENEFITS OF THE RETAINER PROGRAM FOR NEW MEXICO SCHOOLS

1. **Free Telephone Consultation:** The law firm provides telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director or any designee pertaining to questions arising out of the general operation of the District. Last year, our member clients received an average of 8 free hours of telephone consultation. That is a \$1,551 value in telephone calls alone!

As a retainer client, the District has exclusive access to the statewide toll-free telephone numbers for calls to the law firm. Before making decisions with legal consequences, use our exclusive toll-free number to reach any Walsh Gallegos attorney:

- Albuquerque (800) 771-6864
- Austin (800) 252-3405

2. **Free Subscriptions to Firm Publications:** Membership in the Walsh Gallegos Retainer Program also entitles the District to receive a free subscription to our firm newsletter:

- (1) the informative bi-monthly newsletter "*School Law with Walsh Gallegos New Mexico*" that provides timely reminders and practical suggestions about both general education law issues and special education issues arising throughout the school year

3. **E-mail Updates:** As another benefit of the Retainer Program, Walsh Gallegos sends periodic e-mail updates to you (and to any other District personnel or trustees you designate) to help keep the District abreast of the latest developments in school law. These updates, averaging more than one per month, address a broad range of timely topics and are designed to keep you informed and better prepared in your work for the District.

Don't let your District personnel miss our next update!

GADSDEN ISD E-MAIL UPDATE FORM

The Walsh Gallegos E-mail Update program is designed to keep our clients informed of the latest developments in school law. These updates address a broad range of topics related to legal issues confronting school districts. In addition, e-mail update recipients will also be notified of upcoming audio/video conferences and specialty publications produced by Walsh Gallegos.

Below is the list of personnel and/or Board of Trustees that are currently in our system. Please review carefully and make any necessary changes or additions. Also note that there may be some names without an e-mail address. Please provide a current e-mail address or indicate whether the individual should remain one of our e-mail update recipients. If you are having difficulty receiving our e-mail updates, please ask your technology department to add mypinpointe.com to the list of accepted domains.

<u>Name</u>	<u>Title</u>	<u>E-mail</u>
Mr. Travis Dempsey	Superintendent	tldempsey@gisd.k12.nm.us
Ms. Jennifer Viramontes	Board President	jviramontes@gisd.k12.nm.us
Mr. Randall Rapanut	Special Education Director	rrapanut@echalk.gisd.k12.nm.us
Ms. Barbara Browder	Associate Superintendent for Human Resources	bbrowder@gisd.k12.nm.us
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Mr. Kenneth Owen	Assistant Principal, Chaparral Middle School	kwoen@gisd.k12.nm.us
Mr. Richard Nunez	Assistant Principal, Desert Trail Elementary School	rnunez@gisd.k12.nm.us
Mr. Roberto Mata	Assistant Principal, Loma Linda Elementary School	rmata@gisd.k12.nm.us
Ms. Lisa White	Assistant Principal, Mesquite Elementary School	lwhite@gisd.k12.nm.us
Mrs. Maria Legarreta	Assistant Principal, North Valley Elementary School	mglegarreta@gisd.k12.nm.us
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Ms. Yvonne Casillas	Data Analysis Director	ycasillas@gisd.k12.nm.us

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Mr. Ralph Gallegos	Executive Director of Construction	rgallegos@gisd.k12.nm.us
Ms. Doris Jeanne Field	Federal Programs Director	dfields@gisd.k12.nm.us
Mr. Alfredo Holguin	Interim Associate Support Services	alholguin@gisd.k12.nm.us
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Mr. Leon Smith	Principal, Santa Teresa Elementary School	lsmith@gisd.k12.nm.us
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Ms. Linda Rodriguez	Assistant Principal, Santa Teresa High School	rrodriguez@gisd.k12.nm.us
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Ms. Angelica Duque	Assistant Principal, Sunland Park Elementary School	aduque@gisd.k12.nm.us
Mr. Rodney Wiggs	Assistant Principal, Sunrise Elementary	rwiggs@gisd.k12.nm.us
Ms. Maria Barraza	Assistant Principal, Vado Elementary School	mbarraza@gisd.k12.nm.us
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Ms. Linda Perez	Principal, Anthony Elementary School	lperez@gisd.k12.nm.us
Ms. Vicki Arnold	Principal, Berino Elementary School	varnold@gisd.k12.nm.us

Mr. Mark Rupcich	Principal, Chaparral High School	mrupcich@gisd.k12.nm.us
Ms. Marti Muela	Principal, Chaparral Middle School	mmuela@gisd.k12.nm.us
Mr. Don Smelser	Principal, Desert Pride School	dsmelser@gisd.k12.nm.us
Mr. Jorge Araujo	Principal, Desert View Elementary	jaraujo@gisd.k12.nm.us
Ms. Grace Marquez	Principal, Gadsden Elementary School	gmarquez@gisd.k12.nm.us
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Ms. Cheryl Coyle	Principal, Vado Elementary School	ccoyle@gisd.k12.nm.us
Ms. Maria Saenz	Board Member	msaenz@gisd.k12.nm.us
Mr. Daniel Estupiñan	Board Secretary	destupinan@gisd.k12.nm.us
Mr. Daniel Castillo	Board Vice President	dcastillo@gisd.k12.nm.us

Attach additional sheets if necessary. Please return this form to Client Services. If you have any questions or need additional information, please contact Client Services at (800) 252-3405.

VIA FAX
(512) 467-9318

VIA MAIL
Client Services
Walsh Gallegos
P.O. Box 2156
Austin, TX 78768

VIA E-MAIL
info@wabsa.com