

ISAC's Participation in Lawsuits – as amended by the ISAC Board of Directors on December 19, 2003.

All requests for ISAC to become involved in legal actions shall be made in writing to the Litigation committee of the ISAC Board of Directors, in care of the ISAC Executive Director. The written request shall state:

1. The status of the case, e.g., what has been filed to date?
2. What are the issues involved in the case?
3. How would resolution of those issues impact other counties? How many counties would be affected?
4. What would ISAC's role be? (coordination of joint defense, filing of amicus curiae brief, intervention, collection of funds to support defense of one county, other)
5. Other relevant information.

In reviewing the requests, the Litigation Committee shall consider the following factors:

1. Does the issue involve in the case impact counties statewide?
2. What type of involvement has been requested?
3. Has the case proceeded far enough to affect other counties: (e.g., if the case is only at the district court level, will it be appealed?)
4. Would the case generate sufficient interest statewide so that counties would be willing to finance the costs of ISAC's involvement?
5. Are there competing county interests at stake? By becoming involved in support of one county, would ISAC be working against the interests of another county or counties?
6. How would ISAC's involvement be financed? Would contributions from other counties be solicited, and if so, how would the costs be shared among the participating counties?
7. In any formal action required by counties choosing to participate? For example, in a joint defense effort, do any resolutions need to be adopted to appoint counsel and provide for payment of attorney fees?
8. What is the requesting county's likelihood of success?

After considering these and any other relevant questions and applying them to the facts of the case, the Litigation committee shall make a report and recommendation to the ISAC Board of Directors. The Board of Directors shall review the report and take final action on the request for involvement, and shall notify the affected counties of its decision.

If ISAC need to collect contributions to finance its involvement, the funds shall be held in the ISAC's Multi-County account. Once the action is finished, any remaining funds shall be returned to the counties according to the formula by which they were collected. Directors shall review the report and take final action on the request for involvement, and shall notify the affected counties of its decision.