

OFFICE OF THE ATTORNEY GENERAL

Commonwealth of Virginia

Special Counsel Guidelines

When it is impracticable or uneconomical for the Office of the Attorney General (“OAG”) to provide legal services to the Commonwealth, the Attorney General strives to appoint firms and attorneys to provide the highest quality legal services at the most reasonable cost.

Firms are appointed on the basis of quality of services offered, cost and availability. Qualified Virginia firms are given preference in order to increase local business opportunities, and to decrease rates and travel costs. Further, this Office considered firms’ qualification as SWAM (small, women- and minority-owned) businesses.

Typically, the Attorney General issues Solicitations for Proposal (SFPs) to allow firms to bid competitively for routine work or to be available to serve state agencies on an as-needed basis.

Whenever practicable, this Office appoints multiple firms to allow state agencies to choose their attorneys. Unless an appointment states otherwise, client agencies and their OAG counsel are presumed to rotate case assignments to appointed counsel evenly among appointed firms, unless location, specialization or availability concerns require otherwise.

This Office typically does not appoint counsel on a contingency fee basis, and does so at this time only for Debt Collection, Department of Labor and Industry (DOLI) representation, and potentially for Virginia Retirement System (VRS) Asset Recovery actions.

The following SFPs are currently appointed to special counsel:

- SFP No. 2002-18 --- Tobacco Securitization
- SFP No. 2002-23 --- UVAMC – Health Care
- SFP No. 2003-03 --- Treasury – Alternative Financings
- SFP No. 2003-04 --- State Non-Arbitrage Program
- SFP No. 2004-01 --- William & Mary – Bond Counsel
- SFP No. 2005-01 --- Tobacco Indemnification & Securitization
- SFP No. 2005-03 --- George Mason University – Real Estate
- SFP No. 2005-04 --- Tobacco Counsel
- SFP No. 2006-01 --- Virginia Small Business Financing Authority
- SFP No. 2007-01 --- Intellectual Property
- SFP No. 2007-02 --- Bankruptcy
- SFP No. 2007-03 --- Debt Collection
- SFP No. 2007-04 --- Division of Risk Management - Local Government

- SFP No. 2007-05 --- Division of Risk Management - Medical Malpractice
- SFP No. 2007-06 --- Virginia Department of Transportation - Eminent Domain
- SFP No. 2007-07 --- Virginia Department of Transportation - Real Estate Closing
- SFP No. 2007-08 --- Virginia Department of Transportation - Title Examination
- SFP No. 2007-09 --- Virginia College Building Authority
- SFP No. 2007-10 --- Virginia Public Building Authority
- SFP No. 2007-11 --- Department of Treasury
- SFP No. 2007-12 --- Division of Child Support Enforcement (DCSE)
- SFP No. 2007-13 --- Norfolk State University – Bond Counsel
- SFP No. 2007-14 --- Immigration
- SFP No. 2007-15 --- Virginia Port Authority
- SFP No. 2007-16 --- Employee Retirement Income Security Act (ERISA)
- SFP No. 2007-17 --- Division of Risk Management – Automobile Liability
- SFP No. 2007-18 --- Workers' Compensation Commission
- SFP No. 2007-19 --- Bond Counsel
- SFP No. 2007-20 --- Virginia Retirement System - Asset Recovery
- SFP No. 2007-21 --- University of Virginia – Bond Counsel
- SFP No. 2007-22 --- Virginia Retirement System – Investment
- SFP No. 2007-23 --- University of Virginia – Charitable Trust
- SFP No. 2007-26 --- University of Virginia Medical Center - Corporate Transactions

The following SFPs were issued in February 2008, and are in the process of being appointed, for a term through June 2010:

- SFP No. 2008-13 --- FCC / Communications
- SFP No. 2008-20 --- Virginia Tech – Bond Counsel

In addition to all 2007 SFPs being re-issued for 2008 – 2010, we anticipate that the following SFPs will also be issued in 2008:

- Soil & Water Conservation Districts
- Virginia Commonwealth University – Bond Counsel
- VDOT – Commonwealth Transportation Board
- VDOT – Privatization
- VDOT – other areas of need to be determined by VDOT counsel
- Department of Medical Assistance Services
- Department of Labor & Industry

If you have any questions, please contact this office through the following link:

<http://www.vaag.com/FORMS/ContactForm.html>