

Office of Superintendent of Schools  
Board Meeting of November 19, 2003

November 17, 2003

Office of Human Resources  
Marjorie H. Adler, Chief Personnel Officer

**SUBJECT:       RETAIN OUTSIDE COUNSEL TO ASSIST IN LABOR MATTERS**

**COMMITTEE:   LEGISLATIVE RELATIONS, PUBLIC RELATIONS AND PERSONNEL  
SERVICES**

The nature of the work programs and activities of the Office of Legislative and Labor Relations from time to time requires the use of specialized legal services for labor law-related legal proceedings and day-to-day legal advice and counsel.

For example, the School Board is presently involved in litigation with the American Federation of State, County, and Municipal Employees (AFSCME), Local 1184, surrounding the 2003 calendar year health insurance plan. The litigation is presently at the appeal stage. In order to advance the litigation through the appeal process it is recommended that the School Board contract with the law firm of Muller Mintz, P.A. to represent its interest. Muller Mintz, P.A. is in the process of merging with Akerman, Senterfitt. This merger is expected to be effective early in 2004. It is further expected that other matters will be well-served by the involvement of outside counsel.

The firm profile will be forwarded to School Board Members under separate cover and will be placed on file in the Citizen Information Center and the Board Recording Secretary's Office.

**RECOMMENDED:** That The School Board of Miami-Dade, County, Florida, enter into an agreement with the law firm of Muller Mintz, P.A., and the successor, Akerman, Senterfitt, effective November 20, 2003 through June 30, 2004, to represent the Board's interests in the AFSCME appeal, and in such other cases as may be assigned by the Labor Attorney, with <sup>REVISED</sup> compensation not to exceed \$95,000 at an hourly rate of \$150 per hour.

MHA:jmg

**REVISED  
REPLACEMENT  
H-13**