

Retaining Outside Counsel

Authorization to Sign U.S. Permanent Resident Related Documents

Only the Office of the President and/or Vice President for Human Resources has the authority to sign U.S. Permanent Resident immigration documents on behalf of the University of Texas at Arlington. Further, a university representative or official, does not have the authority to sign a G-28 form, "Notice of Entry of Appearance as Attorney or Representative", or any other similar form which provides a limited power of attorney to outside counsel to act on the University's behalf with respect to an immigration matter unless appropriate written approvals have been obtained from the University of Texas System Office of General Counsel and the Texas Attorney General.

Recommendation for Retaining Outside Counsel

A determination will be made by the Office of Equal Opportunity Services if retaining outside counsel is in the best interest of The University of Texas at Arlington. The best interest standard is partly based on institutional case ranking guidelines and such factors as staffing constraints and/or the complexity of the case. EOS will file PERM cases if it determines it can meet the required government petition deadlines. EOS will confer with the Sponsoring Department regarding such cases it will not be able to handle.

The Office of EOS will confer with the Department Chair and Dean before making a recommendation for retaining outside counsel through appropriate institutional administrative channels. Only outside counsel that has been approved in accordance with the Texas Attorney General procedures for retention of outside counsel to represent state entities if will be utilized. **The Sponsoring Department will be responsible for the payment of any legal fees incurred in hiring legal counsel to represent the university in filing of immigration documents. It may seek reimbursement from the beneficiary if authorized by law.**

A private attorney must not be engaged to represent any UT System institution in any nonimmigrant or immigrant petition or application unless approved by the Office of General Counsel in accordance with procedures established by the Texas Attorney General. An individual employee may engage counsel at any time to represent his or her own interest, provided such representation does not relate to any legal interest of the University.

UT System institution administrators and faculty member are not authorized to sign any form (i.e. G-28) that designates an attorney to assist, advise or represent the University in the preparation and submission of employer-based petitions or documents unless all approvals, including approvals of the Texas Attorney General's Office have been obtained in accordance with this policy.