



The following item was recommended at the prior Committee meeting to be considered by the full Board of Governors on September 8, 2017:

1. UNC Policy 400.7 – *Involvement of Centers and Institutes in Legal Actions* – Approved August 1, 2017, at the meeting of the Committee on Educational Planning, Policies, and Programs. *Item to be voted on by the full Board as part of the Report of the Committee on Educational Planning, Policies, and Programs.*

Involvement of Centers and Institutes in Legal Actions

I. **Applicability and Purpose.** The Board of Governors believes that the establishment of Centers and Institutes, as defined in Section 400.5[R] of the UNC Policy Manual, can strengthen and enrich University programs and activities associated with the University's core missions of research, instruction, and service. This policy seeks to protect the academic focus of such entities by restricting Centers and Institutes from participating in litigation.

II. **Legal Actions.** No Center or Institute may do any of the following:

A. File a complaint, motion, lawsuit, or other legal pleading in its own name or on behalf of any individual or entity against any individual, entity, or government or otherwise act as legal counsel to any third party; or

B. Employ or engage, directly or indirectly, any individual to serve as legal counsel or representative to any party in any complaint, motion, lawsuit, or other legal claim against any individual, entity, or government or to act as legal counsel to any third party.

III. **No Application to Law Clinics.** This policy shall not apply to any "law clinic" described in Standards 303 and 304 of the American Bar Association Standards and Rules of Procedure for Approval of Law Schools, or any successor regulation thereof.

IV. **Other Matters.**

A. **Effective Date.** The requirements of this policy shall be effective on the date of adoption by the Board of Governors. The requirements of this policy shall not apply to any pending legal action in which a Center or Institute was participating immediately prior to the effective date of this policy, provided that the Center or Institute notifies the secretary of the Board of Governors, in writing, of its participation in such action within thirty (30) days of the adoption of this policy.

B. **Relation to State Laws and University Policy.** The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments and existing University policies which may govern or relate to the matters addressed herein.

C. **Regulations and Guidelines.** This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.