

GENERAL COUNSEL REPORT

Samantha Nance and Darren Embry
Embry Merritt Womack Nance PLLC

General Counsel is retained to provide guidance for the Commission and its Committees with respect to legal issues, related to their duties and responsibilities under MIC3 terms, and its by-laws and rules. Actively participating in both dispute resolution and litigation matters related to enforcement of the Compact provisions and rules, Counsel also advises the Commission on issues pertaining to investigation, compliance, and enforcement responsibilities.

During this period, General Counsel:

- Provided two legal advisories, including:
 - *01-2025 Ex-Officio Conflict of Interest on the Finance Committee*
 - This Legal Advisory undertook a comprehensive analysis of the model compact statute, existing rules and adopted policies to assess the role of ex-officio organizations serving on the Finance Committee, as well as a brief analysis of the requirements for recusal as required by current policies.
 - *02-2025 Flexibility and Waiver of Graduation Requirements*
 - This Legal Advisory was issued as a synthesis of prior legal advisories, including 7-2017 and 1-2024 in assessing the obligation of LEAs to maintain flexibility in course placement and recognition of course credit to ensure compact compliance with respect to graduation requirements (including early graduation).
- Advised on legal matters involving policies of the Commission, including procedural and substantive updates to the Conflict of Interest, Code of Conduct, and Compliance Fee Assessment policies.
- Advised on legal matters and assisted in drafting a Proposed Rule regarding the Dues Formula
- Drafted compliance communications as well as follow-up analysis and support to multiple member states' appointing authorities. Such communications included requests to:
 - Facilitate the filling of vacancies of Commissioner roles
 - Facilitate the filling vacancies in state councils
 - Requesting timely state council meetings and offering technical support with respect to same; and
 - Completion of state reporting requirements as required by Commission policy.
- Advised on general legal matters regarding state statutes; records requests, and one LEA compliance case.