



# National Sea Grant Law Center

## Advisory Service Guidelines



*The Sea Grant Law Center Advisory Service is a legal research service provided free of charge to the Sea Grant College Program and its constituents. The Law Center is prohibited from providing legal advice or becoming involved in litigation. The information provided by Law Center attorneys is intended for informational purposes only. Organizations requesting legal information should always seek independent, professional legal advice prior to taking action.*

### **Subject Matter of Requests:**

- ❖ Advisory requests should involve an identifiable legal question. Center attorneys will work with the requesting organization/individual to frame the question.
- ❖ In the event a request is outside the Law Center's areas of expertise, the Law Center will identify alternative information sources. Upon request, the Law Center will initiate first contact and follow-up if necessary.
- ❖ The Center will answer questions relating to all regulatory levels from local ordinances to international agreements and treaties.
- ❖ Examples of advisory requests include:
  - Are there any legal barriers that would prevent commercial fishermen from taking tourists out on their boats?
  - What arguments were put forth by the parties in litigation over the National Park Service's regulation of personal watercraft in Gulf Islands National Seashore?
  - Can a state legally ban the importation of baitfish?
  - Can federal agencies be members of 501(c)(3) organizations?
  - What is the potential liability of shellfish farmers for personal injury and animal entanglement?
  - What is the legal status of Autonomous Underwater Vehicles (AUVs)?
- ❖ Information may be requested on legislation pending before state and federal legislatures.

### **Submission of Advisory Requests:**

- ❖ Advisory requests should be submitted by or through Sea Grant personnel. Sea Grant personnel includes the director, the communication and education staff, extension leaders, individual extension agents, and other employees of the individual Sea Grant College Programs; the NOAA Sea Grant Office; and the National Sea Grant Review Panel.
- ❖ Personnel from Sea Grant College Programs should inform their Director prior to submitting an advisory request to the Law Center.

- ❖ Members of the general public are encouraged to submit legal questions through their local Sea Grant office or extension agent. Individuals unfamiliar with Sea Grant and their local agents should contact the Law Center for assistance or search the National Sea Grant website at <http://seagrants.noaa.gov/WhereWeWork> for the appropriate state Sea Grant College Program.
- ❖ Advisory requests may be submitted by contacting the Law Center directly via email or phone. (See contact information below.)
- ❖ When appropriate, requests from the Gulf of Mexico region will be directed to the Mississippi-Alabama Sea Grant Legal Program or the Louisiana Sea Grant Legal Program. When appropriate, requests from Rhode Island or North Carolina will be directed to the Rhode Island or North Carolina Sea Grant Legal Program.

### **Response Time:**

- ❖ The standard response time for an advisory request is **two weeks**.
- ❖ Expedited responses are available, based on staff availability, if the Law Center is notified of the urgency of the organization's request at the time of submission.
- ❖ If it becomes apparent that additional research time is required, the requesting organization will be notified and a new deadline negotiated.

### **Legal Research Results:**

- ❖ Legal Research results can be provided in a variety of formats, including response letters, memoranda of law, fact sheets, white papers, conference/workshop presentations, and newsletter articles.
- ❖ Staff will work with the requesting program to determine the appropriate format.
- ❖ The Law Center encourages the dissemination of legal research results to the Sea Grant community. Results may be posted on the Law Center's website unless the request is of a sensitive nature.

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***To submit an advisory request or request additional information, please contact Stephanie Showalter, Director of the National Sea Grant Law Center, at:***

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