



## ASSISTANT GENERAL COUNSEL I/II

### **DEFINITION**

Under close or general direction, performs various professional legal services and provides legal assistance and advice to all District departments, the General Manager, Board of Directors, and various Board Committees to ensure legal sufficiency of District projects, policies, and activities; ensures that the District is in compliance with applicable laws, statutes, and ordinances; drafts and reviews legal documents related to the conduct of District business; prepares and presents pleadings before Federal and State courts; represents the District's interest before various governmental agencies; performs risk management functions; performs related work as assigned.

### **SUPERVISION RECEIVED AND EXERCISED**

These at-will positions receive close or general direction from the General Counsel. Exercises no direct supervision. Provides legal and functional direction to District staff.

### **CLASS CHARACTERISTICS**

Assistant General Counsel I: This is the entry-level class in the series. Initially under close direction, incumbents with basic professional level experience perform routine professional legal work within the General Counsel's Office and assist the General Counsel in implementing the District's legal and risk management program. As experience is gained, assignments become more varied and are performed with greater independence. Positions at this level usually perform duties required of the positions at the II level, but are not expected to function at the same skill level and usually exercise less independent discretion and judgment in matters related to work procedures and methods.

Assistant General Counsel II: This is the full journey-level class in the series that performs the full range of professional legal work in the General Counsel's Office. Positions at this level are distinguished from the I level by the performance of the full range of duties as assigned, working more independently, and exercising a higher level of judgment and initiative. Incumbents receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of District. Incumbents may act as General Counsel in his or her absence as directed. This class is distinguished from General Counsel in that the latter has overall management responsibility for all legal and risk management activities at the District.

Positions in this series are flexibly staffed in order to meet legal service needs. Positions at the II level can be filled by advancement from the I level requiring two (2) additional years of experience and after gaining the knowledge, skill, and experience which meet the qualifications for and after demonstrating the ability to perform the work of the higher-level class.

### **EXAMPLES OF ESSENTIAL JOB FUNCTIONS** (Illustrative Only)

*Management reserves the rights to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.*

- Negotiates, prepares, drafts and reviews agreements, preliminary reports, title policies, grant proposals, Board reports, letters, licenses, interagency cooperative agreements, contracts, deeds, leases, ordinances, resolutions, legislation and other legal documents and instruments; offers opinions as to legal adequacy.
- Performs legal research and prepares written and oral opinions on various legal issues for the Board of Directors, all District departments, and various committees.
- Receives, reviews, and processes various reports and records, including contracts, legal pleadings, certificates of insurance, resolutions, ordinances, correspondences, court cases, new or proposed legislation, and labor agreements.
- Provides legal advice on real property matters including preparation of real estate transactional documents, assessment of District property rights, analysis and development of approaches to resolve encroachments, easement and access issues, and other pertinent legal issues related to real property.
- Advises the Departments on general liability risk management matters including contractual risk transfer in development of District contracts, determination of coverage issues, determination of adequacy of insurance, assessment of first party and third party liability claims, interfacing with the District's self-insurance program, and other risk management duties.
- Represents the District, and its officers and employees, in litigation including preparation of pleadings, briefs and other litigation documents, court appearances, motion practice; partners with and supports outside counsel representing the District.
- Monitor and analyze current legislation, regulations, administrative law and case law for impact on District business and operations.
- Represents the General Counsel's Office at various Board of Directors and committee meetings.
- Serves as a liaison for the legal program with other District departments and outside agencies.
- Assists Department Heads and staff in establishing operational policies by developing and applying legal analysis; recommends changes to department policies and procedures to meet changing legal requirements.
- Meets and negotiates with outside parties in matters arising out of claims, property transactions, and other District business.
- Attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of public agency law.
- Performs other duties as assigned.

## **QUALIFICATIONS**

### **Knowledge of:**

- Legal principles and procedures of public sector law especially in the areas of real property law, environmental law, employment, public works contracting, and tort law.
- Federal, State, and local laws, statutes, and ordinances applicable to District operations.
- Legal principles, issues, and practices related to government functions, including specific government operations and relevant legal issues.
- General understanding of risk management principles, contractual risk transfer, principles of insurance and surety bonds.
- Court procedures and rules of evidence.
- Methods of legal research, including computer research.
- Business letter writing and the standard format for reports and correspondence.
- Federal, State, and local trial and appeal procedures and methods of case preparation and presentation for both civil and administrative matters.
- Modern office practices, methods, and computer equipment and applications related to the work.
- English usage, grammar, spelling, vocabulary, and punctuation.

- Techniques for effectively representing the District in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and District staff.

**Ability to:**

- Provide sound legal advice to the General Counsel, General Manager, Board of Directors, committees, and department staff.
- Present legal information and advice clearly and persuasively in public meetings.
- Determine alternative legal and administrative approaches to solving problems.
- Analyze and prepare a wide variety of legal documents.
- Prepare and present litigation documents, including discovery.
- Prepare accurate and effective reports, policies, procedures, and other written materials.
- Analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of goals.
- Conduct effective negotiations and effectively represent the District and the department in meetings with governmental agencies, contractors, vendors, and various businesses, professional, regulatory, and legislative organizations.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective staff reports.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective professional working relationships with co-workers, supervisor, and those contacted in the course of work.

**Education and Experience:**

*Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:*

Assistant General Counsel I: Equivalent to possession of a Juris Doctorate degree from an accredited school of law and one (1) year of practicing law, preferably in a public agency.

Assistant General Counsel II: Equivalent to possession of a Juris Doctorate degree from an accredited school of law, three (3) years of practicing law, preferably in a public agency.

**Licenses and Certifications:**

- Possession of a valid California Driver's License.
- Possession of active membership in the State Bar of California.

**PHYSICAL DEMANDS**

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer, to operate a motor vehicle, and to visit various District and meeting sites; vision to read printed

materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing in work areas and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects weighing up to 25 pounds.

### **ENVIRONMENTAL ELEMENTS**

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with difficult staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

EFFECTIVE: September 2018  
REVISED: N/A  
FLSA: Exempt