

**IN-HOUSE COUNSEL
(At Will Contract)
DRAFT**

DEFINITION

Under direction, provides a broad range of professional legal advice to the Board of Directors, General Manager, and District department; represents the District in litigation and administrative proceedings; researches, reviews and drafts a variety of legal documents; performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the General Manager and Board of Directors. No direct supervision of staff is exercised.

CLASS CHARACTERISTICS

This is a management level class that provides professional legal work of unusual difficulty representing, defending, advising and appearing for the District, its General Manager and Board of Directors or any officers or employees in actions or commissions in connection with the actions and concerns of the District or in the course of their employment.

Examples of Duties (Illustrative Only)

- Researches and provides oral and written legal advice on a broad range of legal issues affecting the District for District departments, the General Manager, and the Board of Directors; recommends changes in policies and procedures in order to meet legal requirements.
- Represents the District in judicial and administrative proceedings.
- Prepares all forms of pleadings including motions, points and authorities, declarations and briefs.
- Prepares, drafts, and reviews a variety of legal documents including contracts, leases, security instruments, indentures, deeds and other legal documents and participates or conducts negotiations on the terms of such documents and instruments on behalf of the District; offers opinions on the legal acceptability of such documents when presented to the District by outside agents or agencies.
- Reviews new and proposed State and Federal legislation and administrative regulations affecting District interest and advises District officials on the potential impacts they would have on District operations; drafts proposed resolutions and ordinances for adoption by the Board of Directors and opinions about the validity and enforceability of the proposed District legislation.

- Attends Board meetings and meetings with District staff and representatives of outside agencies and parties; makes Board presentations.
- Reviews and manages the work of outside legal counsel; coordinates the District's legal activities with those of outside agencies and organizations.
- Provides professional legal advice on procedural and substantive matters in the District to the General Manager, Board members and District management staff; provides legal assistance on matters affecting District policies and procedures.
- Represents the District in litigation and administrative proceedings; meets with District witnesses and reviews documents and exhibits in preparation for trial; makes court appearances.
- Attends and participates in professional group meetings; reviews legal periodicals; stays abreast of legal issues and cases.
- Renders legal advice on agenda items.

QUALIFICATIONS

Knowledge of:

- Fundamental legal principles and practices, including civil, criminal, environmental, and administrative law and procedure; methods and techniques of legal research; procedural rules and regulations of local courts and federal and state agencies.
- Laws and regulations governing California special districts, and operating procedures relative to the conduct of special district business.
- Environmental law including: California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA).
- California Public Records Act, the Ralph M. Brown Act, Fair Political Practices Commission regulations and public official conflict statutes, and the California Elections code.
- California Water Code.
- Laws pertaining to fees and taxes, including Proposition 218.
- Others laws pertaining to special districts, water districts or municipal law.
- Methods of legal research and the ability to analyze, appraise and apply legal principles and precedents to difficult legal problems.
- Theories, principles, practices and techniques of public administration, public finance and administration, and personnel administration, and of the purposes and functions of governmental agencies, boards and commissions as may be related to this position.
- Substantive and procedural law that relates to the District; and interpret and make decisions in accordance with laws, regulations and policies.
- Broad range of statutory and decisional law that applies to the District and the District operations.

Skill in:

- Performing legal work using independent judgment.
- Strong oral and written communications.

- Evaluating the impact of contracts, resolutions and other legal documents on District operations; organize, interpret and apply complex legal principles; prepare and present cases in court, conduct research on complex legal problems and prepare sound legal opinions; gain cooperation through discussion and persuasion.
- Presenting statements of law and fact and argument clearly and logically; prepare clear and concise legal opinions.
- Making public presentations.
- Developing and administering contracts for professional services and construction in a public agency setting.

Any combination of education and experience that has led to the acquisition of the knowledge, skills, and abilities as indicated above. Typical ways of acquiring these:

Education:

Possession of a Juris Doctorate from an accredited law school.

Experience:

A minimum of seven years of experience as a practicing attorney, including at least two years at a management level in public or government law.

License:

Active membership in the California State Bar Association and possession of a valid California class C driver's license and satisfactory driving record.

Physical Demands:

Must possess mobility to work in a standard office setting with some travel to various sites to attend meetings; normal vision with or without correction to read printed materials and a computer screen and hearing and speech to communicate in person and over the telephone.

FLSA Status: Exempt – Not eligible for overtime

At Will Contract Employee