

**Title:** Legal Counsel I, II, III

**Department:** Office of Metro Attorney

**Job Code:** 1270, 1640, 1650

**Pay Range:** R, T, W

**FLSA Status:** Exempt

**Bargaining Unit:** Non-Represented

**Established:** 3/98 (Legal Counsel I, II)

**Revised:** 09/03, 10/08, 4/14, 6/14, 2/24 (added III)

**EEO Category:** Professional

## CLASSIFICATION DESCRIPTION

Jobs assigned to this series provide legal counsel, advice, and services to the Chief Operating Officer, Deputy Chief Operating Officers, General Manager of Visitor Venues, Metro Council, Metro Auditor, departments, staff, commissions, and advisory committees in relation to their official duties.

## DISTINGUISHING FEATURES

This series classification includes Legal Counsel I, Legal Counsel II, and Legal Counsel III. All classes in the series are experienced professional attorneys, with increasing levels of responsibility, complexity, and independence.

### Legal Counsel I

Legal Counsel I is the first professional-level classification in the legal counsel series assigned to less complex legal work, performing assigned duties with increasing independence, developing subject knowledge, and receiving mentorship and direction.

### Legal Counsel II

Legal Counsel II is a professional classification assigned to more complex legal work, performing the full range of duties, working independently, applying well-developed subject knowledge, and exercising judgment and initiative.

### Legal Counsel III

Legal Counsel III is a senior professional classification assigned to the most complex legal work, performing the most difficult assignments requiring a higher level of responsibility, applying advanced subject knowledge, and exercising significant independent judgment and initiative.

## DUTIES AND RESPONSIBILITIES

Depending on the assignment, the incumbent may perform a combination of some or all of the following duties, and perform related duties as assigned.

### Legal Counsel I

1. Provides legal advice and recommendations to assigned departments; evaluates legal and other risks; researches and interprets the application of federal, state, and local laws and regulations to Metro actions, functions, and operations; keeps current on legal developments; provides assigned departments with updates and recommendations on

- required changes; provides legal counsel to assigned commissions and advisory committees; attends public meetings and work sessions.
2. Researches, investigates, and analyzes potential legal claims and disputes to determine legal and factual allegations, circumstances, and legal basis of claims, and to formulate strategy and tactics (attorney may conduct or oversee investigation).
  3. Assists in the conduct of litigation on behalf of and against Metro, including researching and analyzing legal and factual issues; interviewing, preparing, and deposing witnesses; preparing pleadings, motions, and case reports and summaries; evaluating and negotiating out-of-court settlements; represents Metro in such proceedings when appropriate and feasible.
  4. Assists senior legal staff with legal work in any functional area for all Metro departments in one or more legal specialties and serves as back-up to other assigned specialties; provides staff training as requested.
  5. Advises on and participates in negotiations of contractual obligations between Metro and private businesses, individuals, and other governments; participates in negotiations on Metro's behalf with third parties to resolve issues in contractual, regulatory, or other relationships; prepares and reviews documents for legal sufficiency to ensure Metro's actions are legally binding, in proper form, and prevent exposure to liability.
  6. Participates and may advise on negotiations concerning real property transactions between Metro and private businesses, individuals, and other governments; prepares documents including offers, purchase and sale agreements, leases, options, deeds, contracts, easements, escrow agreements, and disposition and development agreements; reviews documents for legal sufficiency to ensure Metro's actions are legally binding, in proper form, and prevent exposure to liability.
  7. Interacts, confers, and negotiates with legal counsel for other public jurisdictions and attorneys representing public and private interests in legal matters with Metro that are both adversarial and non-adversarial.
  8. Reviews, drafts, and revises ordinances, resolutions, ballot measures, and all other documents related to governance and legislation.
  9. Researches, studies, and interprets the application of laws, court decisions, and other legal authorities and precedents; prepares formal and informal legal memorandums and opinions for review by senior legal staff or Metro Attorney.
  10. Advises Metro officials and employees on compliance with legal and ethical requirements to reduce legal and ethical risks to Metro; educates and trains Metro officials, departments, and employees in ethics, legal duties, and constraints on areas of responsibility, mismanagement, conflicts of interest, and prevention and minimization of legal issues.
  11. Represents the Office of Metro Attorney in professional and public settings, including the Oregon State Bar, lectures, public presentations, and professional organizations and activities; participates in programs that increase awareness for municipal law opportunities.

12. Assigns and evaluates the work of legal assistants, paralegals, law clerks, and other employees involved in Metro legal work.

### **Legal Counsel II**

*In addition to duties and responsibilities above, a Legal Counsel II:*

1. Plans, oversees, and evaluates the work of law clerks, including managing the recruitment, selection, and onboarding processes.
2. Organizes and supervises assigned projects for the Office of Metro Attorney, which may include directing other staff within the Office of Metro Attorney.
3. Researches and analyzes proposed state and federal legislation affecting Metro operations; advises and reports to Metro Attorney on any relevant impact to Metro departments or operations.

### **Legal Counsel III**

*In addition to the responsibilities above, the Legal Counsel III:*

1. Acts as the primary legal resource for all Metro departments in one or more legal specialties and serves as back-up to other assigned specialties; provides lead legal counsel to assigned departments, commissions, and advisory committees.
2. Conducts litigation on behalf of and against Metro, including: researching and analyzing legal and factual issues; interviewing, preparing, and deposing witnesses; preparing pleadings, motions, and case reports and summaries; evaluating and negotiating out-of-court settlements; appearing in court and before judicial, quasi-judicial, administrative, legislative, committee and other forums; determines grounds for advice on appeals proceedings; advise Metro representatives of outcomes and impacts.
3. Advises on labor negotiations; defends Metro in labor disputes; participates in and consults on labor relations.
4. Determines need for outside expert opinion, outside counsel, or assistance; directs and oversees work; approves outside counsel and expert billings.
5. Mentors assigned attorneys; reviews and edits other attorney's documents; may assign and supervise work of Legal Counsel I and Legal Counsel II.
6. Leads and manages assigned projects for the Office of Metro Attorney; makes recommendations to Deputy Metro Attorney and Metro Attorney on office projects; assists in the development of policies, procedures, and work plans.

It is the responsibility of all Metro employees to:

1. Actively participates on committees and/or attends meetings as assigned.
2. Fulfill Metro's core values of public service, excellence, teamwork, respect, innovation, and sustainability.
  - Builds and maintains positive relationships and contributes to a positive team atmosphere; engages others in ways that foster respect and trust.

- Encourages and appreciates diversity in people and ideas – seeks to understand the perspectives of others.
  - Provides excellent customer service – assists the public, public officials and agency partners, and other employees in a professional and courteous manner with the goal of meeting or exceeding expectations.
  - Practices continuous improvement - researches new possibilities, contributes ideas and stays current in field of work.
  - Demonstrates sustainable practices in applicable field and generally for resource use and protection.
  - Works assigned schedule (if applicable) and exhibits regular and predictable attendance.
  - Works in a safe manner and follows safety policies, practices, and procedures.
  - Complies with Metro and Metro's visitor venues policies, procedures, and applicable work rules; applicable law and collective bargaining agreements as appropriate.
3. Performs assigned duties during an emergency situation.
  4. Performs other duties as assigned.

### **JOB SPECIFICATIONS**

#### **Education/Licensing and Work Experience:**

##### **Legal Counsel I**

- Graduation from an accredited law school, and
- Minimum of three years relevant legal experience, and
- Active membership in the Oregon State Bar Association, and
- License to practice Law in the State of Oregon, or
- Any combination of education and experience that provides the necessary knowledge, skills, and abilities to perform the classification duties and responsibilities.

##### **Legal Counsel II**

- Graduation from an accredited law school, and
- Minimum of six years relevant legal experience, and
- Active membership in the Oregon State Bar Association, and
- License to practice Law in the State of Oregon, or
- Any combination of education and experience that provides the necessary knowledge, skills, and abilities to perform the classification duties and responsibilities.

##### **Legal Counsel III**

- Graduation from an accredited law school, and
- Minimum of eight years relevant legal experience, and
- Active membership in the Oregon State Bar Association, and
- License to practice Law in the State of Oregon, or

- Any combination of education and experience that provides the necessary knowledge, skills, and abilities to perform the classification duties and responsibilities.

### **Knowledge, Skills and Abilities:**

- Knowledge, depending on assigned department, of legal principles, practices, methods and terminology of civil, municipal, real estate, land use, construction, employment, labor, entertainment, solid waste and/or contract law and of civil law processes and litigation.
- Skilled in decision making, negotiation, use of discretion and problem solving.
- Skilled in presentations and teaching.
- Ability to provide excellent interpersonal and customer service skills.
- Ability to work independently and as part of a team.
- Ability to be creative and stimulate creativity by introducing new ideas and approaches.
- Ability to produce sound legal opinions.
- Ability to research, analyze, draft, and interpret laws, opinions, plan documents, ordinances, contracts, title and real estate documents, regulations, agreements, and related material.
- Ability to prepare, present, and participate in proceedings and trials depending on the position.
- Ability to mentor, lead, and guide the work of others.
- Ability to maintain professional and cooperative relationships with staff and business contacts.
- Ability to communicate effectively in oral and written form.
- Ability to read, write, understand, and speak English.
- Ability to perform all essential duties and responsibilities.
- Ability to work in a safe manner and follow safety policies, practices, and procedures.
- Ability to successfully pass the background check and screening requirements required for the position.

### **SUPERVISION RECEIVED**

- Legal Counsel I may receive mentoring and project/matter supervision from Legal Counsel III, in addition to direct supervision from the Metro Attorney or Deputy Metro Attorney.
- Legal Counsel II may receive mentoring and project/matter supervision from Legal Counsel III or higher, in addition to direct supervision from the Metro Attorney or Deputy Metro Attorney.
- Legal Counsel III may receive supervision from the Deputy Metro Attorney or Metro Attorney.

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### **SUPERVISION EXERCISED**

- These positions may provide technical and functional supervision for the Paralegal, Legal Assistant, and Law Clerk positions.

### **TOOLS AND EQUIPMENT USED; PROTECTIVE CLOTHING**

- All standard office equipment, hardware, and software.

### **WORK ENVIRONMENT**

- Work is performed primarily in an indoor office environment and in courts of law.
- Employees in this series may need to work with difficult or upset individuals in adversarial situations and can be exposed to hazardous conditions or materials normally found in such settings.
- Travel, evening meetings, and extensive overtime may be required.

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*The classification description indicates the general nature and level of work of positions grouped within this classification; it is not intended to be a comprehensive inventory of all duties and responsibilities, job specifications, work environment or other characteristics of a specific position. The classification description is not an employment agreement between the employee and Metro or Metro's visitor venues and is subject to change by Metro. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential duties.*