

CLASSIFICATION SPECIFICATION



CLASSIFICATION: Deputy County Counsel I/II/III
ALLOCATION: Office of County Counsel
FLSA STATUS: Exempt
UNION AFFILIATION: N/A

ESTABLISHED: Circa 1985
REVISED: February 2009

JOB SUMMARY:

To assist the County Counsel in providing legal advice and services to County departments, boards and commissions, special districts and other agencies; assist departments in interpreting regulations on a wide range of topics; represent officers and employees in litigation; act as trial advocate in civil litigation at all levels of court; and perform other duties as assigned.

CLASS CHARACTERISTICS:

This is a multi-level class series in which incumbents may be assigned to any one of three levels depending upon organizational needs, professional legal experience, individual expertise and skill, proficiency gained, and the complexity and sensitivity of assigned cases. The Deputy County Counsel series is flexibly staffed through level III. Promotion from one level to the next in the series is at the discretion of the appointing authority, provided the minimum qualifications are met. Progression is based upon demonstrated ability and the level of supervision received.

Deputy County Counsel I – is the entry professional level in the Deputy County Counsel series. Under close supervision, performs the less difficult legal work involved in providing legal counsel to assigned County departments and districts and prepares and presents civil cases before the court. Incumbents at this level are not expected to perform with the same independence of direction and judgment on matters allocated to the higher levels.

Deputy County Counsel II – is the journey professional level in the Deputy County Counsel series. This class is distinguished from the I-level by the assignment of the full range of duties and the amount of general supervision received.

Deputy County Counsel III – is the advanced journey professional level in the Deputy County Counsel series. Incumbents at this level receive only occasional instruction or assistance as new or unusual situations arise. As employees progress through these levels they will be assigned more difficult and sensitive cases, will be required to be fully aware of the operating procedures and policies within the assigned area, and may be required to prepare legal opinions on problems that are complex and have far-reaching implications.

This class series reports to the Chief Deputy County Counsel. This class is distinguished from Chief Deputy County Counsel in that the latter is responsible for supervising the departmental administrative matters and presenting the most complex and sensitive cases in court.

EXAMPLES OF DUTIES:

Essential:

Deputy County Counsel I:

- Researches, interprets and applies laws, court decision, statutes, ordinances and other legal authorities for use in the preparation of legal opinions, briefs, pleadings, notes, and memoranda; prepares legal reports, opinions, briefs and appeals of average difficulty under general supervision.
- Represents, confers with and advises County officials, employees and district representatives on legal questions pertaining to their respective powers, duties, functions and obligations; may attend meetings of boards and commissions in order to provide legal advice and counsel.
- Represents, confers with, and advises clients of the Office of the County Counsel with respect to all aspects of civil law, including litigation in the area of probate, police powers, zoning, planning, social services, health care, child welfare, disciplinary appeals and grievances, real and personal property, assessment and taxation, and other civil areas of public law.
- Researches and prepares formal written ordinances, resolutions, contracts, agreements, leases, conveyances and other legal documents.
- Assists in researching, investigating and preparing for trial; may assist in the trial of or defense of the County in cases involving condemnation, damage or other civil suits.
- May make recommendations to the County Counsel concerning the advisability to prosecute, compromise or dismiss civil litigation.

Deputy County Counsel II (in addition to the above):

- Prepares pleadings and other papers in connection with trials, hearings and other legal proceedings; performs

research, investigation and detailed legal preparation for the trial or defense of the County in cases involving condemnation, damage or other civil suits.

- Makes recommendations to the County Counsel concerning the advisability to prosecute, compromise or dismiss civil litigation.
- Drafts proposed legislation, analyzes pending legislation and recommends County position on legislation.

Deputy County Counsel III (in addition to the above):

- Prepares difficult legal reports, opinions, briefs and appeals using independent judgment and discretion.
- Attends meetings of boards and commissions in order to provide legal advice and counsel.

Important:

- May direct the work of professional, technical or administrative office support staff members on a project or day-to-day basis.
- Comply with all County equipment and safety policies and procedures, and California Occupational Safety and Health Administration (CalOSHA) rules and regulations.
- May drive a County or personal motor vehicle to attend court sessions and meetings, interview individuals and visit case sites.

EMPLOYMENT STANDARDS:

Knowledge of:

Deputy County Counsel I:

- The principles and application of civil and administration law.
- Applicable federal, state and local laws, ordinances, codes and regulations.
- Legal research methods.
- Trial and hearing procedures and rules of evidence.
- The statutory and constitutional laws of the State of California.

Deputy County Counsel II (in addition to the above):

- The duties, powers, limitations and authorities of the Office of the County Counsel.
- The organization, power, and limitations of local governmental functions.

Deputy County Counsel III (in addition to the above):

- The interpretation and application of the law as it relates to the general law County government.
- Law in relation to authority, responsibilities and obligations of public officials, administrative boards and agencies.

Skill in:

Deputy County Counsel I:

- Communicating effectively verbally and in writing.
- Maintaining accurate records and files.
- Organizing own work, managing multiple projects and meeting critical deadlines.

Deputy County Counsel II (in addition to the above):

- Preparing, presenting and conducting cases of law in court;
- Presenting statements of law, fact and argument clearly and logically in written and oral form.
- Researching, analyzing and applying legal principles, facts, evidence and precedents to legal problems.
- Analyzing and drafting ordinances and other regulations.

Deputy County Counsel III (in addition to the above):

- Defining issues, performing legal research, analyzing problems, evaluating alternatives and making appropriate recommendations.
- Proposing legislative measures.

Ability to:

Deputy County Counsel I:

- Learn the duties, powers, limitations and authorities of the Office of the County Counsel.
- Research, analyze, and apply legal principles, facts, evidence and precedents to legal problems.
- Prepare, present and conduct cases of law in court.
- Present statements of law, fact and argument clearly and logically in written and oral form.
- Develop and maintain effective relationships with other staff members, departmental representatives, County officials, members of advisory and policy-making bodies, the courts and the public.
- Analyze and draft ordinances and other regulations.
- Give full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate and not interrupting at inappropriate times.

Deputy County Counsel II (in addition to the above):

- Prepare and present statements of law, fact and argument clearly, logically and persuasively in written and oral form.
- Understand and accept differences in human behavior and cultural and ethnic backgrounds in the area.

Deputy County Counsel III (in addition to the above):

- Analyze and present legal considerations related to the policies, programs and operation of the County.
- Prepare and present statements of law, fact and argument clearly, logically and persuasively in written and oral form, including the most complex legal matters.
- Further County policies, programs and operations through creative interpretation and application of the law.

Physical Demands: The physical demands and work environment described here are representative of those that must be met by an employee to successfully perform the essential function of the job, with or without accommodation. Prospective employees must complete a pre-employment medical exam (Occupational Group IV) which will measure the ability to:

- See well enough to read fine print and view a computer screen; speak and hear well enough to understand, respond, and communicate clearly in person and on the telephone; independent body mobility sufficient to stand, sit, walk, stoop and bend to access the work environment and a standard office environment; manual dexterity and sufficient use of hands, arms and shoulders to repetitively operate a keyboard and to write; and the ability to sit or walk for prolonged periods of time.
- Strength to lift boxes and files weighing up to 25 pounds.

Accommodation may be made for some of these physical demands for otherwise qualified individuals who require and request such accommodation.

Work Environment:

- Typical office and court room environment.
- Attend meetings outside normal business working hours.

QUALIFICATIONS:

The minimum and preferred requirements are listed below. While the following requirements outline the minimum qualifications the County reserves the right to select applicants for further consideration who demonstrate the best qualifications match for the job. Meeting the minimum qualifications does not guarantee further participation in selection procedures.

Licenses and Certification:

- The ability to obtain a valid California Class C driver's license within ten (10) days of employment.
- Active membership (in good standing) in the State Bar of California.

Education and Experience:

- I-Level Minimum:** Juris Doctorate Degree from an accredited school of law.
- I-Level Preferred:** In addition to the minimum, one year of professional experience as an attorney in the practice of civil law in the State of California.
- II-Level Minimum:** Juris Doctorate Degree from an accredited school of law and two years of professional experience as an attorney in the practice of civil law in the State of California.
- II-Level Preferred:** In addition to the level-II minimum, two years of experience at a level equivalent to the County's class of Deputy County Counsel I.
- III-Level Minimum:** Juris Doctorate Degree from an accredited school of law and four years of professional experience as an attorney in the practice of civil law in the State of California.
- III-Level Preferred:** In addition to the level-III minimum, two years of experience at a level equivalent to the County's class of Deputy County Counsel II.

This class specification lists the major duties and requirements of the job. Incumbent may be expected to perform job-related duties other than those contained in this document.

Dept Approval: Department Head
Date:

Personnel Approval: Analyst
Date:

Signature: _____

Signature: _____