



**Title:** Legal Counsel I, II

**Job Code:** 1270, 1640

**Pay Range:** 541, 542

**FLSA Status:** Exempt – Professional, Learned

**Employee Group:** Non-Represented

**Established:** 3/98

**Revised:** 09/03, 10/08, 4/14, 6/14

**EEO Category:** Professional

### **CLASSIFICATION DESCRIPTION**

Jobs assigned to this series provide legal counsel, advice and services to the Metro Chief Operating Officer, Deputy Chief Operating Officer, Council and staff with emphasis on land use, environmental and growth management, transportation, waste management, the zoo, labor law and other areas over which Metro has jurisdiction.

### **DISTINGUISHING FEATURES**

This series classification includes Legal Counsel I and Legal Counsel II. Although both levels in the series are experienced professional attorneys, the primary distinctions between the levels are the complexity and responsibility of assignments and the amount of lead direction received and given.

The Legal Counsel I is assigned to less complex professional legal tasks which often include leadership and direction from a Legal Counsel II or the Metro Attorney.

The Legal Counsel II is seasoned senior attorney assigned to more complex professional legal tasks including negotiation with law firm senior partners and litigation in state, federal, and appellate courts. Both levels may lead the work of Paralegal and Legal Secretary position with direction from the Metro Attorney, or the Deputy Metro Attorney.

### **DUTIES AND RESPONSIBILITIES**

#### **Legal Counsel I**

1. Drafts and provides legal opinions and advice on Metro issues, activities, functions and efforts through preparation, revision, and interpretation of a variety of legal documents, instruments and procedures including ordinances, resolutions, legislative records, contracts, deeds, title records, and other materials.
2. Studies, researches, interprets and applies statutes, ordinances, court decisions and legal opinions in the preparation of briefs and opinions on Metro operations and actions.
3. Prepares pleadings and other papers for lawsuits, trials, hearings and other legal actions and assists with strategy development for sensitive cases under direction and in support of the actions of General Counsel and Legal Counsel II; represents Metro in such proceedings when appropriate and feasible.

4. Confers and negotiates with legal counsel in other public jurisdictions and with attorneys representing public and private interests in legal dealings with Metro that are both adversarial and non-adversarial.
5. Conducts or oversees investigations of potential legal claims and disputes directly, through staff or contract investigators; may organize and supervise staff projects including direction of other Counsel staff.

### **Legal Counsel II**

1. In addition to those functions and responsibilities listed above for Legal Counsel I, the Legal Counsel II initiates, defends, carries out and represents Metro in complex legal actions in courts at the state, federal, and appeals level, and before administrative agencies such as the Land Use Board of Appeals, the Public Employee Relations Board, the Land Conservation and Development Commission and various arbitrators.
2. Drafts and files pleadings, motions, draft rules and other legal documents where Metro is a party; prepares written testimony and affidavits to assist agency witnesses, and presents oral arguments in hearings or proceedings in which the agency is involved.
3. Consults with and advises Metro Councilors, the Executive Officer and assigned departments in the interpretation of state and federal law and the Metro Code including written legal advice, development of complex ordinances, resolutions, plan documents, labor agreements and inter-government agreements, and in the avoidance and containment of legal risks.
4. Plans, assigns, supervises and evaluates the project work of Legal Counsel I, paralegal, legal secretary and other employees involved in Metro legal actions.
5. Interacts, confers and negotiates with local government officials, city and county counsels, attorneys general and private attorneys at the senior level regarding Metro legal actions, contracts, real estate, plans and business.

It is the responsibility of all Metro employees to:

1. Actively participate on committees and/or attend meetings as assigned.
2. Fulfill Metro's core values of public service, excellence, teamwork, respect, innovation and sustainability. This includes, but is not limited to:
  - Build and maintain positive relationships and contribute to a positive team atmosphere; engage others in ways that foster respect and trust
  - Encourage and appreciate diversity in people and ideas – seek to understand the perspectives of others
  - Provide excellent customer service – assist the public, public officials and agency partners, and other employees in a professional and courteous manner with the goal of meeting or exceeding expectations
  - Practice continuous improvement - research new possibilities, contribute ideas and stay current in field of work
  - Demonstrate sustainable practices in applicable field and generally for resource use and protection
  - Work assigned schedule (if applicable); exhibit regular and predictable attendance

- Practice safe work habits
  - Comply with Metro and Metro's visitor venues policies, procedures and applicable work rules; applicable law and collective bargaining agreements as appropriate
3. Perform assigned duties during an emergency situation.
  4. Perform other duties as assigned.

## **JOB SPECIFICATIONS**

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

#### **Legal Counsel I**

- Graduation from an accredited law school 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
- This is **not** an entry-level legal position, typically, the position requires at least two years' relevant legal experience

#### **Legal Counsel II**

- Graduation from an accredited law school and
- Two years active membership in the Oregon State Bar Association and
- License to practice Law in the State of Oregon and
- This is a senior attorney and, typically, the position requires at least seven years relevant legal experience 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:**

- Legal principles, practices, methods and terminology of civil, municipal, real estate, land use and/or contract law and of civil law process and litigation
- Produce sound legal opinions
- Research, analyze, draft and interpret laws, opinions, plan documents, ordinances, contracts, title and real estate documents, regulations, agreements and related material
- Prepare, present, and participate in proceedings and trials
- Maintain professional and cooperative relationships with staff and business contacts
- Communicate effectively in oral and written form
- Decision making, negotiation, use of discretion and problem solving
- Interpersonal skills, teamwork and creativity
- Presentations and teaching
- Math skills
- Reading, writing, understanding and speaking English
- Perform all position essential duties and responsibilities

- Fulfill Metro’s core values of public service, excellence, teamwork, respect, innovation and sustainability
- Work in a safe manner and follow safety policies, practices and procedures

**Additional Requirements:**

- Successfully pass the background check and screening requirements required for the position

**SUPERVISION RECEIVED**

**SUPERVISION EXERCISED**

**RELATIONSHIPS/CONTACTS**

Inside the organization, meets, confers, and coordinates work efforts with all levels of staff, Council members and the Executive Officer to ensure optimal legal results for Metro and its constituents. Outside the organization, confers with public and private attorneys, government agencies, special interest groups and associations, and other organizations and individuals to enhance Metro legal efforts.

**TOOLS AND EQUIPMENT; PROTECTIVE CLOTHING**

**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 functions.*