



CLASSIFICATION NO. 223  
Established: 3/82  
Revised: 1/93, 9/04, 12/07, 7/13  
FLSA: Exempt  
EEO: 2

## **LEGAL COUNSEL 2**

### **CLASS CHARACTERISTICS**

Under direction, to prosecute, defend, appeal and negotiate civil law suits and other legal proceedings; negotiate and document real property transactions; to negotiate loans, bonds and other financial transactions; to research, negotiate and ensure compliance with federal and state regulatory requirements; to provide legal advice and guidance to County officials; to review, comment on and draft proposed legislative measures; to perform legal research and prepare legal documents and opinions; and to do other work as required.

### **DISTINGUISHING CHARACTERISTICS**

The Office of County Counsel provides legal representation and advice to the Board of County Commissioners, county departments, elected officials and other authorities in relation to their official duties.

The Legal Counsel 2 is a journey level classification with responsibility for assisting County Counsel and Legal Counsel Senior staff in any legal functional areas and in providing general legal assistance to County Departments. Incumbents perform a variety of professional legal work and research for assigned County departments/divisions, and may assist higher level attorneys with complex or extensive litigation, real property transactions or environmental matters, administrative hearings or other legal matters, in addition to serving as backup for any legal specialty.

The Legal Counsel 2 differs from Legal Counsel, Senior which has responsibility for a major legal specialty for assigned County departments and oversees legal projects and project teams of other legal staff. It also differs from the Legal Counsel 1 which performs entry level professional legal work.

### **TYPICAL TASKS**

Duties may include but are not limited to the following:

1. Under the direction of senior legal staff, prosecutes and defends legal actions, suits and other proceedings regarding land use, code enforcement, tax appeals and general municipal law on behalf of the County; prepares and presents cases at trials or hearings; researches and analyzes legal and factual issues; interviews and deposes witnesses; prepares legal pleadings, motions, case reports and summaries; evaluates, recommends, and negotiates out of court settlements.
2. Assists senior legal staff with legal work in any functional area for all County departments in one or more legal specialties, and serves as back-up to other assigned specialties; provides legal counsel to County officers, assigned County departments and various boards and

commissions; advises on legal rights and responsibilities and other legal issues; attends public meetings and work sessions; investigates facts; conducts legal research; manages schedules, prepares documents, memorandums and report summaries; interviews witness and County personnel; gathers information from County departments, other jurisdictions and outside agencies; conducts legal training for County employees.

3. Advises County departments on appropriate action for general legal problems and issues; interprets Federal, State and local legislation, statutes, rules and regulations; reviews and makes recommendations to senior legal staff on proposed policy or procedural changes; assists with public relations and media issues.
4. Analyzes, researches, drafts and/or revises ordinances, resolutions, contracts, agreements, leases, deeds and other legal documents; advises on legal issues.
5. Prepares and analyzes proposed state and federal legislation affecting County operations for review by senior legal staff; advises and reports to senior legal staff on any relevant impact to County departments or operations.
6. Researches, studies and interprets the application of laws, court decisions and other legal authorities and precedents; prepares legal opinions, memoranda and briefs.
7. Interacts, confers and negotiates with local government officials, city and county counsels, attorneys general, and private attorneys regarding County legal matters, including negotiating contracts and agreements with outside agencies and governments.
8. Researches, reviews, prepares, negotiates and assists with real property transactional documents, including offers, purchase and sale agreements, leases, options, deeds, contracts, easements, escrow agreements, disposition and development agreements, and urban renewal-related activities.
9. Researches, reviews, negotiates, assists with and ensures compliance with all applicable federal, state and other governmental regulations, including environmental requirements, land use permits, federal regulatory permits, operational compliance, and clean-up of environmentally sensitive sites.
10. Negotiates, prepares and assists in financial transactions including loans, credit facilities, debentures, general and revenue bond financings; ensures compliance with all applicable state and federal public finance statutes and regulations.
11. Under the direction of senior legal staff, plans, organizes and leads staff projects and assignments; develops general legal strategies for sensitive cases and issues; assists in the development of policies, procedures and work plans; makes recommendations on work priorities.

### **REQUIRED KNOWLEDGE AND SKILLS**

Thorough knowledge of: Principles and practices of municipal law; principles and techniques of legal writing, judicial procedure and rules of evidence; civil trial and appellate procedures in state and federal courts and administrative tribunals; legal terminology; Federal, State and local statutes, regulations, rules and ordinances applicable to County activities and functions, including municipal liability, public meetings, torts, contracts, real property and land use, urban

renewal, public records and public financing including tax and bond instruments; principles and techniques of negotiation; organization of County government; county ordinances, rules and policies; department policies and procedures; liability and risk management principles; principles of labor relations; principles of environmental regulatory compliance.

**Skill to:** Establish findings of fact and decisions in concise written form; interpret and apply legal principles; analyze problems and identify alternative solutions; communicate effectively, both orally and in writing; provide accurate and practical legal advice; effectively present legal positions to judges, juries, hearings officers and the public; negotiate complex transactions to completion; work with regulatory agencies and authorities in the establishment and compliance with imposed requirements; establish and maintain effective working relationships with elected officials, government agencies, court system personnel, private and public attorneys, County employees and the public.

### **MINIMUM QUALIFICATIONS**

Minimum qualifications are used as a guide for establishing the minimum experience, education, licensure, and/or certifications required for employment in the classification. The following minimum qualifications are established for this classification. Additional minimum qualifications and special conditions may apply to a specific position within this classification and will be stated on the job announcement.

**Experience:** A minimum of three (3) years of related experience that would provide the required knowledge and skills to perform the responsibilities of this position.

#### **Licenses/Certifications:**

The following licensure/certifications are required at the time of hire.

- Active member of the Oregon State Bar.

### **PRE-EMPLOYMENT REQUIREMENTS**

Must successfully pass a criminal history check which may include national or state fingerprint records check.

Driving may be necessary for County business. For position(s) with occasional/incidental driving, incumbents must possess a valid driver's license. Accommodation requests for an acceptable alternative method of transportation will be reviewed on an individual basis in compliance with State and Federal legislation. For position(s) with regular driving, incumbent(s) must also possess and maintain an acceptable driving record throughout the course of employment.