



## GENERAL COUNSEL

JC: XF160

PG: GC

BU: 95 (NR)

FLSA: Exempt

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

### **DEFINITION**

Under administrative direction of the Board of Directors and subject to the provisions of Board Resolution No. 2086, oversees and administers all programs, activities and staff within the District's Office of the General Counsel; provides legal advice to the Board of Directors, the Capital Corridor Joint Powers Authority (CCJPA), and District staff; and performs related duties as assigned.

### **CLASS CHARACTERISTICS**

This classification is an executive-level Board appointed, statutory officer of the District. The incumbent manages all District legal activities performed by in-house staff and/or outside counsel, except for certain personal injury and worker's compensation matters. Responsibilities also include personally handling sensitive and complex legal matters and rendering advice and opinions to the Board and others. The incumbent is accountable for accomplishing departmental goals and objectives and for furthering District goals and objectives within general policy guidelines.

### **REPORTS TO**

This position reports to the Board of Directors.

### **EXAMPLES OF DUTIES** – *Duties may include, but are not limited to, the following:*

1. Develops, implements, and directs the implementation of goals, objectives, policies, procedures, and work standards for the Office of the General Counsel.
2. Assists in the development and modification of District long and short-range plans; directs the preparation and administration of the department's budget; plans, organizes, administers, reviews, and evaluates the activities of department staff.
3. Attends Board meetings and consults with and advises individual Directors, the Board as a whole, the General Manager and various department managers.
4. Investigates facts, determines legal issues, researches the law and prepares correspondence and legal opinions; represents the District in adjudicatory proceedings; reviews and coordinates the activities of outside counsel; represents the District in meetings with opposing counsel and others.
5. Directs the selection of assigned staff subject to the approval of the General Manager and provides for their training and professional development; is responsible for morale, productivity, and discipline of department staff.

6. Interprets District policies and procedures to District employees.
7. Directs the conduct of various analytical and legal studies; reviews reports of findings, alternatives and recommendations; directs the preparation of a variety of periodic and special reports regarding departmental activities.
8. Monitors developments, including proposed legislation and court decisions related to District activities and evaluates their impact upon District operations; recommends and implements policy and procedural improvements.
9. Develops and administers the budget for the Office of the General Counsel; participates in the forecast of funds needed for staffing, equipment materials and supplies; monitors and approves expenditures; implements adjustments.
10. Represents the Office of the General Counsel with other divisions, departments and outside agencies; negotiates and resolves sensitive and controversial issues.
11. Serves on a variety of commissions and committees; prepares and presents staff reports and other necessary correspondence.
12. Attends and participates in professional group meetings, stays abreast of new trends and innovations in the legal field.
13. Responds to and resolves the most difficult and sensitive citizen inquiries and complaints.

## **QUALIFICATIONS**

### **Knowledge of:**

- California and federal statutory, case, administrative and constitutional law; contract and labor law, particularly as related to public agencies.
- Trial and administrative hearing procedures and rules of evidence.
- Responsibilities and obligations of public officials and administrative agencies.
- Administrative principles and methods, including goalsetting, program and budget development and implementation and employee supervision.
- Related Federal, State, and local laws, codes, and regulations.

### **Skill in:**

- Planning, organizing, administering, reviewing, and evaluating varied legal activities and functions.
- Selecting, training, motivating, and evaluating assigned staff.
- Developing, implementing, and interpreting goals, objectives, policies, procedures, work standards and internal controls.
- Performing complex legal research, analyzing complex problems, evaluating alternatives, and making sound recommendations.
- Exercising independent judgment within general policy guidelines and legal parameters.
- Establishing and maintaining effective working relationships with those contacted in the course

## **General Counsel**

Page 3

of the work.

- Working collaboratively with other Board appointed officers and executive management employees.
- Representing the District effectively in meetings with others.
- Preparing clear, concise, and competent reports, correspondence, and other written materials.

### **MINIMUM QUALIFICATIONS:**

#### **Education**

A juris doctor degree from an accredited law school.

#### **Experience**

Ten (10) years of (full-time) professional verifiable experience actively engaged in the practice of law in California.

The above experience, which must immediately precede appointment to this classification, must also include the equivalent of three (3) years of experience working in a legal capacity for a public agency or special district, which included two (2) years of experience functioning in a lead or supervisory capacity over subordinate attorneys and the professional and administrative staff of a legal department.

#### **License**

Active membership in the State Bar of California with admission to practice law in the Supreme Court of California.

#### **Other Requirements**

Must be willing to work outside of regular business hours and attend occasional evening meetings as needed.

Must be willing to travel out of the immediate area.

### **WORKING CONDITIONS**

#### **Environmental Conditions**

Office environment; exposure to computers.

#### **Physical Conditions**

May require maintaining physical condition necessary for walking, standing, or sitting for prolonged periods of time.

**BART EEO-1 Job Group:** 0100 – Board Appointed Position  
**Census Code:** 0010 – Chief Executives and Legislators  
**Safety Sensitive:** No

### **CLASSIFICATION HISTORY**

**Created :** July 1988  
**Revised:** July 2007  
**Revised:** November 2023