ATTORNEY III

JC: LF115
PB: 11
FLSA: Exempt

BU: 94 (NR)
Created: June 1987
Revised: June 2019

*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 general supervision, performs a broad variety of professional legal duties in the Office of the General Counsel in support of the District including the provision of legal advice to District staff, management and the Board of Directors; prepares and drafts correspondence, opinions, policies, briefs and pleadings; reviews, and responds to claims and lawsuits against the District; performs related duties as assigned.

CLASS CHARACTERISTICS

This is the advanced professional journey level class within the Attorney Series. This classification performs a full range of duties assigned with minimal direction and a fully aware of the operating procedures and policies of the Office of the General Counsel and the District and work closely with senior management. This classification is distinguished from the Senior Attorney in that the latter possesses a specialized, technical, or functional expertise within the area of assignment or exercises lead supervision over assigned lower level professional staff.

REPORTS TO

Senior Attorney or designee.

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

1. Reviews, prepares, and assists in the negotiation of contracts and agreements, including competitive bid construction and procurement contracts, professional services agreements, joint powers and other public agency agreements.

2. Works with various District departments on development and implementation of various construction projects, interagency agreements, equipment purchases and professional service agreements.

3. Assesses and evaluates legal claims against the District and advising senior management and the Board of Directors on their resolution.

4. Responds to third-party subpoenas and California Public Records Act requests.

5. Provides advice to reduce or mitigate legal risks.

6. Reviews and negotiates complex and unique legal issues.

7. Facilitates District's Industrial Disability Retirement appeal status with State.

8. Confers with and advises officers and employees of the District on legal questions pertaining to their respective duties, powers, functions and obligations.

9. Advises management on a wide variety of labor and employment matters; provides legal support and advice for collective bargaining including drafting, reviewing and interpreting contract language; represents the District in labor arbitrations.

10. Prepares and drafts various types of legal correspondence including letters, memos, briefs, pleadings, and opinions regarding settlements and negotiations.

11. Conducts legal research; reviews claims and lawsuits filed against the District; coordinates investigations; facilitates negotiation of claims; drafts settlement agreements.

12. Represents the District in and/or assists Senior Attorneys in preparation for court appearances including hearings and trials; arranges and attends depositions.

13. Reviews new and existing statutes and regulations that may affect the District; advises staff on the impact of new or existing legislation; drafts proposed legislation.

14. Prioritizes workload; maintains a calendar of activities, appointments, legal engagements and meetings.

15. Attends and participates in special group meetings; stays abreast of new trends and innovations in the legal field.

16. Receives and responds to written and verbal inquiries; prepares answers to certain public inquiries.

Knowledge of:
- California and federal statutory, case, administrative and constitutional law
- Contract and labor law
- District policies and procedures
- California Public Records Act
- Employment Law and litigation
- State and Federal statutes
- Government Contracting Code
- Uniform Commercial Code
- Common law contracts principals
- Bay Area Rapid Transit District contract templates
- Law and Motion practices
- Trial and administrative hearing procedures and rules of evidence
- Methods and techniques of legal research
- Current office procedures, methods and equipment including use of computers

Skill in:
- Preparing clear, concise and competent briefs, pleadings, opinions, reports, agreements, and other written documents
- Presenting statements of fact, law and arguments clearly and logically in oral form
- Preparing a variety of legal documents, including agreements and contracts
- Performing legal research, analyzing, appraising and applying legal principles, facts and precedents to difficult legal problems and making sound recommendations
- Representing the District's position effectively and persuasively in labor arbitrations and administrative proceedings
- Establishing and maintaining effective working relationships with those contacted in the course of work
- Representing the District's position effectively and persuasively in trial and appellate proceedings.
- Overseeing and coordinating with outside counsel.
- Assisting in the planning, organization and supervision of a public entity legal department.
- Evaluating options and presenting options to District staff.

MINIMUM QUALIFICATIONS

Education:
Bachelor's degree in criminology or related field from an accredited college or university. Juris Doctorate required.

Experience:
Seven (7) years of (full-time) professional verifiable experience as an attorney engaged in the practice of civil law or related experience. Public sector experience preferred.

License or Certificate:
Current active membership in the California State Bar

WORKING CONDITIONS

Environmental Conditions:
Office environment; exposure to computer screens.

Physical Conditions:
May require maintaining physical condition necessary for sitting for prolonged periods of time.

BART EEO-1 Job Group: 3500 – Professionals
Census Code: 2100 – Lawyers, Judges, Judicial Workers
Safety Sensitive: No