



## GENERAL COUNSEL

**JC:** XF160  
**PG:** GC  
**FLSA:** Exempt

**BU:** 95 (NR)  
**Created:** July 1988  
**Revised:** July 2007

*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 District Board of Directors and subject to the provisions of Board Resolution No. 2086, administers District legal work; provides legal advice to the Board of Directors and District staff; and performs related duties as assigned.

### **CLASS CHARACTERISTICS**

This classification is a Board appointed, statutory officer of the District. The incumbent manages District legal activities, whether performed by in-house staff or outside counsel with the exception of 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 and directs the implementation of goals, objectives, policies, procedures and work standards for the Legal Department.
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 report 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 office's budget; participates in the forecast of funds needed for staffing, equipment materials and supplies; monitors and approves expenditures; implements adjustments.
10. Represents the General Counsel Office 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 goal setting, program and budget development and implementation and employee supervision.
- Related Federal, State and local laws, codes and regulations.

## **General Counsel**

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### **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 of the work.
- Representing the District effectively in meetings with others.
- Preparing clear, concise and competent reports, correspondence and other written materials.

### **MINIMUM QUALIFICATIONS**

#### **Education:**

Appropriate degree from an accredited law school.

#### **Experience:**

Admission to practice law in the Supreme Court of California and actively engaged in the practice of law for not less than ten (10) years of experience next preceding appointment. These requirements are included in California Public Utilities Code Section 28810.

#### **Other Requirements:**

Must possess a valid California driver's license and have a satisfactory driving record.

Must be willing to attend occasional evening meetings and 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