



Title: Director of Legal Services/Legal Counsel

FLSA Status: EXEMPT

BRIEF DESCRIPTION:

Reporting to the General Manager/Chief Executive Officer (GM/CEO), the Director of Legal Services/Legal Counsel serves as legal advisor providing legal counsel, advice and analysis to the chairman of the board, individual board members, chief executive officer and SacRT management and staff. The position also reports to the Board of Directors on technical work content, with a dotted line, and is classified as at will. The incumbent plans, directs and manages the operations, programs, services, and functions of the agency’s Legal department including providing appropriate and objective legal advice to senior management and staff. Legal advice to be provided includes clearly identifying the legal considerations and issues, reasonable alternative courses of action, associated legal risks, and mitigation strategies so senior leaders can make informed business decisions. The GM/CEO conducts performance evaluations and provides regular feedback and guidance on performance and improvement, all with input from the board.

ESSENTIAL FUNCTIONS:

Note: This information is intended to be descriptive of the key responsibilities of the position. The list of essential functions below does not identify all duties performed by any single incumbent in this position. Additionally, please be aware of the legend below when referring to the physical demands of each essential function.

(S) Sedentary Exerting up to 10 lbs. occasionally or negligible weights frequently; sitting most of the time.	(L) Light Exerting up to 20 lbs. occasionally; 10 lbs. frequently; or negligible amounts constantly; OR requires walking or standing to a significant degree.	(M) Medium Exerting 20-50 lbs. occasionally; 10-25 lbs. frequently; or up to 10 lbs. constantly.	(H) Heavy Exerting 50-100 lbs. occasionally; 10-25 lbs. frequently; or up to 10-20 lbs. constantly.	(V) Very Heavy Exerting over 100 lbs. occasionally; 50-100 lbs. frequently; or up to 20-50 lbs. constantly.
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#	Code	Essential Functions	% of Time
1	S	<p>Legal Advice. The primary function of the Director of Legal Services/Legal Counsel is to advise management and the board on the legal aspects of business decisions. Legal advice must be objective, outlining the legal parameters which may influence business decisions, to include issues, reasonable alternative courses of action, legal risk and risk mitigation strategies. Once business decisions are made, the Legal Counsel provides legal support, to include development of proactive risk mitigation strategies to protect the District’s interests while executing management’s and the board’s decision(s).</p> <p>Legal Strategy. This position is responsible for developing and leading SacRT’s enterprise legal strategy to promote and protect the agency’s interests. The Legal Counsel is responsible for advising senior leadership (management and the board) on the development and implementation of legal compliance programs at the federal, state and local levels, to include assessing risk and offering mitigations for leadership consideration. The Legal</p>	100%



Counsel must anticipate legal issues and develop preventive law strategies and advise senior leadership on corporate policy and compliance programs to help minimize litigation, third party disputes and other potential legal project development and implementation problems. The incumbent ensures that all allegations of legal misconduct coming to his/her attention are reported in a timely manner to the GM/CEO and/or board (as appropriate) in an attempt to maintain integrity in all aspects of SacRT's business.

Leadership and Supervision. Lead and manage the legal department including the activity of all legal staff and contract legal counsel. Oversees the delivery of legal services and resources (including outside legal counsel) to accomplish agency goals, strategies and priorities in collaboration with senior management delivering SacRT's mission. The Legal Counsel must attract, develop, direct, and drive performance from the entire legal team including administrative staff; coaches, trains and motivates staff; manages workflow and prioritization of projects; and measures the performance of the department and all related staff and takes appropriate/corrective action as appropriate.

Collaboration and Trust. Serves as a trusted advisor to the board, GM/CEO and senior management team advising leaders on the legal considerations of a variety of issues and topics. Gaining trusted advisor status requires proactive efforts that demonstrate commitment to the agency's goals, strategies and plans; supports the board, GM/CEO and senior leadership team in developing and executing plans. The Legal Counsel must establish and maintain effective working relationships with SacRT employees, management team members, relevant local, state and federal government bodies, and the general public. Cooperates with the Internal Audit team, EEOC and other oversight functions (including outside audits) ensuring their ability to perform their duties and responsibilities for the whole of SacRT.

Communications Skills. Under administrative direction of the GM/CEO, this position as Counsel to the Board of Directors during meetings and deliberations of the Board must be an exceptional communicator to make clear and concise presentations before the board, senior management, and to boards of other governmental agencies concerning District governance, programs, requirements and policies.

Knowledge. Legal Counsel must maintain a comprehensive knowledge of pertinent federal and state laws, regulations, rulings, interpretations and court decisions as they affect the District.

Other Duties. The position performs other related duties as



required or assigned by the GM/CEO. Provides support to the GM/CEO as directed; serves as staff to a variety of boards, commissions, and committees; prepares and presents staff reports and other necessary correspondence; attends and participates in professional group meetings; maintains awareness of new trends and developments in fields related to area of assignment; incorporates new developments as appropriate; ensures processes, policies and practices are interpreted and applied consistently and effectively; ensures accountability and compliance with all current and applicable state and federal laws, Agency policies, rules and regulations.

JOB REQUIREMENTS:

-Description of Minimum Job Requirements-	
Formal Education	Juris Doctor degree or equivalent from an accredited school of law. Substitution of experience for the required education is not accepted.
Experience	A minimum of seven (7) years of broad and extensive experience as an attorney that includes providing high level complex legal advice and counsel and progressively responsible management and supervisory experience working with a public agency. Transit related experience is preferred.
Supervision	Work requires leading, directing and monitoring work performance of the legal team including inspiring employees to perform, evaluating program/work objectives and effectiveness, establishing broad organizational goals, and aligning work and staffing assignments for the legal team.
Human Collaboration Skills	Legal Counsel must create associations of trust and respect both within SacRT and among its key partner agencies and stakeholder groups. Final business decisions will be made by responsible members of the management team, with objective input on legal considerations and issues, alternative approaches, associated risks and mitigations from the legal team.
Freedom to Act	The employee normally performs the duty assignments within broad parameters defined by general organizational requirements and accepted practices. End results determine effectiveness of job performance.
Technical Skills	Work requires advanced skills and knowledge in approaches and systems, which affect the design and implementation of major programs and /or processes organization-wide. Independent judgment and decision-making abilities are necessary to apply legal skills effectively.
Budget Responsibility	Position has direct responsibility for the legal services unit budget, and input into district wide fiscal responsibility, sustainability and compliance with regulation. Monitors progress toward legal services fiscal objectives and adjusts plans as necessary to reach them.
Reading	Advanced - Ability to read literature, books, reviews, scientific or



	technical journals, abstracts, financial reports, and/or legal documents. Ordinarily, such education is obtained in at the college level or above. However, it may be obtained from experience and self-study.
Math	Advanced - Ability to apply fundamental concepts of theories, work with advanced mathematical operations methods, and functions of real and complex variables. Ordinarily, such education is obtained at the college level or above. However, it may be obtained from experience and self-study.
Writing	Advanced - Ability to write editorials, journals, speeches, manuals, board policies, ordinances contracts or critiques. Ordinarily, such education is obtained in at the college level or above. However, it may be obtained from experience and self-study.
Certification & Other Requirements	Active Membership in the California State Bar and the US District Court for the Eastern District of California.

KNOWLEDGE
<ul style="list-style-type: none"> • Principles and practices of civil, constitutional, contract, tort, property, employment, environmental, municipal, and administrative law. • Litigation and arbitration procedures and rules of evidence pertaining to state and federal court. • Principles, methods, and practices of legal research. • Labor relations, contract interpretation and negotiations as they apply to SacRT’s business. • Policies, operations, procedures, and functions of the District from a legal perspective. • Principles, practices and methods of supervision and leadership.

SKILLS
<ul style="list-style-type: none"> • Advanced word processing, spreadsheet, presentation and database software. • Specialized software related to functional area.



ABILITIES

- Attract, motivate, develop, assign, coordinate, and supervise the work of subordinate staff.
- Research, analyze, and apply legal principles, facts, and precedents to legal issues.
- Advise the District board, senior management and staff.
- Draft legal documents such as ordinances, resolutions, statutes, and contracts.
- Prepare and present cogent legal arguments at trials and hearings.
- State objective facts, law, and balanced legal arguments clearly and logically in written and oral form as input for management and the board to consider in making business decisions.
- Foster an environment of openness and transparency.
- Hold self and team members accountable for the appropriate use of positional authority.
- Knows when to share information, how much to share, and whom to share information with, particularly in sensitive situations.
- Recognizes one's own and staff's stressors and mentor others in the use of appropriate tools and techniques to effectively address stressful situations and resolve conflict.
- Must be an exceptional communicator to make clear and concise presentations before the Board, executive management, and leadership of other government agencies concerning District governance, programs, requirements and policies.
- Proactively support business decisions and agency positions with legal justifications, and craft risk mitigation strategies where appropriate.
- Effectively use and provide training in legal research methods.
- Establish and maintain associations of trust and cooperative working relationships with District board members, management, staff, representatives of other governmental agencies, union officials, and the general public.
- Demonstrate initiative and the ability to work as a productive team member with minimal day to day supervision, basing decisions on the agency's strategic goals, ethics, spirit of service and collaborative team work.



OVERALL PHYSICAL STRENGTH DEMANDS:

-Physical strength for this position is indicated below with "X"-				
Sedentary	Light	Medium	Heavy	Very Heavy
Exerting up to 10 lbs. occasionally or negligible weights frequently; sitting most of the time.	Exerting up to 20 lbs. occasionally, 10 lbs. frequently, or negligible amounts constantly OR requires walking or standing to a significant degree.	Exerting 20-50 lbs. occasionally, 10-25 lbs. frequently, or up to 10 lbs. constantly.	Exerting 50-100 lbs. occasionally, 10-25 lbs. frequently, or up to 10-20 lbs. constantly.	Exerting over 100 lbs. occasionally, 50-100 lbs. frequently, or up to 20-50 lbs. constantly.

PHYSICAL DEMANDS:

C	F	O	R	N
Continuously 2/3 or more of the time.	Frequently From 1/3 to 2/3 of the time.	Occasionally Up to 1/3 of the time.	Rarely Less than 1 hour per week.	Never Never occurs.

Note: This is intended as a description of the way the job is currently performed. It does not address the potential for accommodation.

-Physical Demand-	-Frequency-	-Brief Description-
Standing	F	Making presentation; Observing work site; Communicating with co-workers
Sitting	C	Desk work; Meetings
Walking	F	To other departments/offices; Around work site
Lifting	O	Supplies; Files
Carrying	O	Supplies; Files
Pushing/Pulling	O	File drawers
Reaching	F	For supplies; For files
Handling	F	Paperwork
Fine Dexterity	F	Computer keyboard; Telephone keypad; Calculator
Kneeling	O	Filing in lower drawers
Crouching	O	Filing in lower drawers; Retrieving items from lower shelves/ground
Crawling	N	
Bending	O	Filing in lower drawers; Retrieving items from lower shelves/ground
Twisting	O	From computer to telephone; Getting inside vehicle
Climbing	R	Stairs
Balancing	R	On step stools
Vision	C	Reading; Computer screens; Driving; Observing work site
Hearing	C	Communicating via telephone/radio to co-workers/public
Talking	C	Communicating via telephone/radio to co-workers/public
Foot Controls	O	Driving
Other (specified if applicable)		None

MACHINES, TOOLS, EQUIPMENT, SOFTWARE, AND HARDWARE:

Telephone, fax machine, copier, vehicle, calculator, computer and associated hardware and software



ENVIRONMENTAL FACTORS:

C Continuously	F Frequently	O Occasionally	R Rarely	N Never
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D Daily	W Several Times Per Week	M Several Times Per Month	S Seasonally	N Never
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-Health and Safety Factors-	
Mechanical Hazards	R
Chemical Hazards	R
Electrical Hazards	R
Fire Hazards	R
Explosives	N
Communicable Diseases	R
Physical Danger or Abuse	R
Other (see 1 below)	

-Environmental Factors-	
Respiratory Hazards	N
Extreme Temperatures	N
Noise and Vibration	N
Wetness/Humidity	N
Physical Hazards	N

(1) N/A

PROTECTIVE EQUIPMENT REQUIRED: None

NON-PHYSICAL DEMANDS:

F Frequently From 1/3 to 2/3 of the time	O Occasionally Up to 1/3 of the time	R Rarely Less than 1 hour per week	N Never Never occurs
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-Description of Non-Physical Demands-	-Frequency-
Time Pressure	F
Emergency Situation	O
Frequent Change of Tasks	F
Irregular Work Schedule/Overtime	O
Performing Multiple Tasks Simultaneously	F
Working Closely with Others as Part of a Team	F
Tedious or Exacting Work	O
Noisy/Distracting Environment	O
Other (see 2 below)	

(2) N/A

PRIMARY WORK LOCATION:

Office Environment	X	Vehicle	
Warehouse		Outdoors	
Shop		Other (see 3 below)	
Recreation/Neighborhood Center			

(3) N/A

The above statements are intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties, and skills required. This description is subject to modification as the needs and requirements of the position change.



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CLASS HISTORY

Adopted: 1984
Revised: 07/2012, 08/2018
Title Change: From Chief Counsel (08/2018)
Maintenance
Update:
Abolished:
Job Key: 41000030