

**KERN COUNTY SUPERINTENDENT OF SCHOOLS  
APPROVED OCTOBER 2014  
SALARY SCHEDULE: #43  
CLASSIFIED SCHOOLS LEGAL SERVICE – OVERTIME EXEMPT  
CODE: 1, 2, 6, 8**

**SENIOR ASSOCIATE COUNSEL**

**DEFINITION**

Under direction of the General Counsel performs legal work of above average complexity and difficulty in providing representation to clients of Schools Legal Service. Incumbents in this job classification are well-experienced attorneys who can be assigned to work on complex, difficult and sensitive legal matters with only general supervision and guidance through formal and informal work review. Incumbents in this classification may be assigned responsibility for special complex projects and civil and administrative litigation under minimal general supervision. They may be assigned to work directly with superintendents and governing boards in larger districts with only minimal general supervision. This classification is distinguished from the Associate Counsel classification by the greater complexity and sensitivity of the projects assigned and the general degree of supervision received. Incumbents may provide mentoring and day to day assistance to less experienced attorneys in the office.

**EXAMPLES OF DUTIES**

Confer with and advise clients on legal issues in the designated practice area and as otherwise assigned, including matters relating to labor relations and collective bargaining, personnel, special education, education governance, student issues, and business and construction matters;

prepare formal legal opinions on complex legal problems;

draft and review resolutions, contracts, leases, conveyances and other legal documents;

prepare pleadings and other papers in connection with lawsuits, trials, hearings, appeals and other legal proceedings;

perform a wide variety of legal research and prepares briefs;

prepare and conduct litigation and represent clients in difficult or complex matters before state and federal courts, administrative agencies and tribunals, including arbitration, and before legislative bodies;

attend meetings of governing boards and other client bodies to give advice and/or to represent the administrative staffs of those agencies;

prepare and present materials in workshops for clients on legal matters and participate in the development of regular training calendars in the area of practice or as assigned;

provide regular notifications regarding legal developments and matters of current interest to clients;

maintain regular and proactive communication with clients concerning cases or matters handled by the attorney;

may represent clients in (1) negotiations with employee organizations, (2) grievance proceedings, including arbitrations, and (3) related labor proceedings;

provide timely and accurate timekeeping information regarding services provided to clients and other office activities;

meet any requirements set by the General Counsel concerning billable hours;

perform related duties as assigned.

## **QUALIFICATIONS**

### Knowledge of:

Duties, powers, limitations and authority of Schools Legal Service and its attorneys;

principles of civil law and their application to governmental agencies;

legal principles, including civil, constitutional and administrative law;

legal research methods, rules of evidence and conduct of court and agency proceedings;

basic office methods, practices and procedures;

standard English usage, spelling, grammar and punctuation;

safe work practices.

Legal principles in one or more practice areas as required by the assignment (including but not limited to):

Facilities: real estate transactions; school site acquisition rules, construction management and litigation; eminent domain; leasing; environmental law; developer fees, debt financing, surety claims, prevailing wage, and state funding of school construction.

Business services and information technology: commercial contracts; government contracts; intellectual property; electronic commerce; torts; worker's compensation; legal issues relating to charter schools, California Public Records Act, subpoena responses, restraining orders and "stay away" orders, and risk management.

Human Resources: certificated and classified discipline and layoffs, FEHA/EEOC and discrimination rules, leave laws and workplace investigations;

Student issues: student discipline rules; First Amendment and Fourth Amendment principles; interdistrict attendance options.

Governance: Brown Act, election and school district organization rules.

Special Education: Federal and state law regarding education of children with disabilities.

### Ability to:

Work on complex, difficult, and sensitive legal matters in a highly competent and professional manner, including, but not limited to civil and administrative litigation and communication and interaction with governing boards, with only general supervision.

Respond promptly to requests of clients; provide needed information, assistance, training, materials and resources;

plan, organize and prioritize own work to meet deadlines and accomplish assigned tasks within established time lines including maintaining accurate records and files;

maintain an orderly work environment and perform tasks in prescribed and safe manner;

establish and maintain collaborative, cooperative and professional working relationships with those contacted during performance of job duties, including fellow staff members, client personnel and others;

maintain and improve professional skills and knowledge;

be flexible and receptive to change;

understand and apply principles, techniques and procedures required for effective job performance;

negotiate complex contracts, agreements and settlements;

draft complex contracts and legal instruments;

research and prepare opinions, resolutions and policies;

analyze difficult and complex legal problems and apply legal principles and practices;

prepare, present and conduct cases of law, equity and appeals effectively;

present statements of fact, law and argument clearly and logically in written and oral form;

work cooperatively and effectively with other Schools Legal Service staff, clients and other client representatives to advocate and protect the interests of clients;

travel as necessary to perform the duties of the position;

use, or learn to use, a computer for preparation of letters and documents and conduct legal research using on-line and electronic library resources.

*Experience:*

Five years of progressively responsible experience as an attorney representing clients in public or private practice. Three years of experience emphasizing government, trial practice or administrative law is preferred.

*Education:*

Graduation from an accredited law school.

*Other requirements:*

Current active membership in the State Bar of California.

Proof of insurability for professional malpractice.

*Conditions of employment:*

Some positions may require proof of privately owned automobile insurance and possession of a valid California Motor Vehicle operator's license which must be maintained for the duration of the assignment.

Fingerprint clearance by both the Federal Bureau of Investigation and the California Department of Justice is a condition of appointment after all other required job conditions have been met.

Must present verification of completion of Child Abuse Mandated Reporter training or obtain verification within six (6) weeks of hire and annually thereafter, as required by the California Child Abuse and Neglect Reporting Act.

This position is overtime exempt and has a probationary period of one year.

TS: gs

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