ASHEVILLE, NORTH CAROLINA

Classification Specification

Assistant City Attorney
Job Code: 6515
FLSA: Exempt

Purpose of Classification:

The purpose of this classification is to provide legal advice and representation to the City staff and departments, as assigned.

Distinguishing Characteristics:

This classification is the entry level for the Assistant City Attorney job family.

Essential Functions:

The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

Serves as counsel in representing the legal interest of the City for assigned departments, boards, and commissions: provides legal advice to representation to department heads, elected officials, or managers, as requested or assigned; attends meetings; assesses nature of the legal issue presented; researches internal regulations, policies and procedures, or relevant state and federal law; advises client of legal solution and execution of appropriate steps and implementation; writes legal opinions and memoranda; develops strategies and solutions to ensure compliance; and provides interpretation of laws, rulings, and regulations, as well as board powers and duties, conflicts of interest, and rules of procedure, as requested.

Reviews, drafts, and negotiates legal documents, such as ordinances, resolutions, regulations, legal opinions and memorandums, litigation and enforcement documents, and a wide range of contracts and agreements for assigned departments: reviews documents for compliance with City policies and procedures, as well as local, state and

federal laws; conducts research; analyzes terms and conditions to ensure City's interests are protected and to safeguard against potential liability; gives legal advice regarding precedent, negotiating position, compliance remediation, and other legal issues; and maintains related documentation and files.

Researches various legal issues, as assigned or required: analyzes statutes, regulations, case law and other legal materials; provides legal opinions and interpretations; and maintains current knowledge of changes in state and federal legislation and case law regarding municipal operations, such as public records and open meetings law, public personnel law, law enforcement, public contract and financing law, state and federal land use law, etc.; and advises the City Attorney regarding compliance with statutes and ordinances.

Manages litigation impacting the City in its authority under various code provisions and proceedings before state and federal courts, as well as quasi-judicial boards and commission: prepares and responds to interrogatories, requests for production of documents, requests for admissions, and other discovery requests; prepares appropriate motions and other necessary pleadings; takes and defends depositions; meets with clients and other witnesses; conducts legal research; determines case strategy; attends mediations, trials, and hearings; argues client's position; makes and responds to legal arguments; presents and examines witnesses; introduces and/or opposes to evidence; issues subpoenas; prepares and responds to appellate motions; communicates with clients, opposing counsel, and adverse parties; and participates in in mediation and settlement negotiations.

Maintains a comprehensive, current knowledge and awareness of City, state, and federal laws, regulations, policies, and procedures; maintains an awareness of new procedures, trends, and advances in the profession; reads professional literature; maintains professional affiliations; participates in training and continuing education activities; and attends and conducts meetings, workshops, and seminars as appropriate.

Communicates with City administrators and elected officials, supervisor, other City employees, board members, outside counsel, the public, and other individuals as needed to coordinate work activities, review status of work, exchange information, or resolve problems.

Processes a variety of documentation associated with department/division operations, within designated timeframes and per established procedures: receives, reviews, prepares, completes, processes, forwards or retains as appropriate various forms, reports, correspondence, contracts, agreements, staff reports, resolutions, ordinances, public records requests, policies, procedures, legal opinions, legal briefs, ordinance revisions, regulations, and other documentation; compiles data for further processing or for use in preparation of department reports; and maintains computerized and/or hardcopy records.

Operates a personal computer to enter, retrieve, review, or modify data, utilizing word processing, spreadsheet, database, presentation, Internet, e-mail, or other software; and operates general office or other equipment as necessary to complete essential functions.

Additional Functions:

Performs other related duties as required.

Minimum Qualifications:

Juris Doctor Degree required; supplemented by two years of experience in civil or criminal litigation, or a related field; or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job.

Specific License or Certification Required: Must possess and maintain a valid North Carolina driver's license. Must

possess and maintain current membership in good standing with the North Carolina Bar Association.

Specific Knowledge, Skills, or Abilities: Must be able to demonstrate proficiency in performance of the essential functions and learn, comprehend, and apply all City or departmental policies, practices, and procedures necessary to function effectively in the position.

Performance Aptitudes:

Data Utilization: Requires the ability to coordinate, manage, and/or correlate data. Includes exercising judgment in determining time, place and/or sequence of operations, referencing data analyses to determine necessity for revision of organizational components, and in the formulation of operational strategy.

Human Interaction: Requires the ability to function in a director capacity for a major organizational unit requiring significant internal and external interaction.

Equipment, Machinery, Tools, and Materials Utilization: Requires the ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.

Verbal Aptitude: Requires the ability to utilize consulting and advisory data and information, as well as reference, descriptive and/or design data and information as applicable.

Mathematical Aptitude: Requires the ability to perform addition, subtraction, multiplication, and division; ability to calculate decimals and percentages; may include ability to perform mathematical operations with fractions; may include ability to compute discount, interest, and ratios; may include ability to calculate surface areas, volumes, weights, and measures.

Functional Reasoning: Requires the ability to apply principles of influence systems, such as motivation, incentive, and leadership, and to exercise independent judgment to apply facts and principles for developing approaches and techniques to resolve problems.

Situational Reasoning: Requires the ability to exercise judgment, decisiveness and creativity in situations involving broader aspects of organizational programs and operations, moderately unstable situations, or the direction, control and planning of an entire program or set of programs.

ADA Compliance:

Physical Ability: Tasks require the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or workstation.

Sensory Requirements: Some tasks require the ability to perceive and discriminate colors or shades of colors, sounds, and visual cues or signals. Some tasks require the ability to communicate orally.

Environmental Factors: Essential functions are regularly performed without exposure to adverse environmental conditions.

The City of Asheville is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.