

## **The Maryland-National Capital Park and Planning Commission**

TITLE: Principal Counsel

GRADE: 38

DATE: 8/15/19

SERIES: Legal

CODE: 2426

EEO: Official/Admin

FLSA: Exempt

### Class Definition:

Under general direction, performs managerial, supervisory and professional legal work in a functional work unit of the Office of the General Counsel (OGC). Manages and supervises attorneys, paraprofessionals and administrative staff in an assigned work unit (e.g., land use team, transactions team, litigation team or other functional work unit within the OGC). Establishes, plans, organizes and directs case load and work priorities. Develops unit-level policies and procedures and monitors legal services and work for accuracy and conformance to professional legal standards. Provides expert-level legal services and representation in highly complex matters of law and policy related to the assigned area of responsibility. As a highly experienced attorney, incumbent independently plans and executes assignments, resolves a majority of organizational conflicts, and coordinates work with the General Counsel, Deputy General Counsel and others as appropriate. Manages and supervises staff and provides expert counsel and representation in a broad range of highly complex legal matters that are unique in nature, consistently characterized by unclear facts, issues and precedents, have far-reaching significance and/or impact, and require the exercise of broad discretion and professional judgment. Some work is highly confidential or highly sensitive. On a regularly recurring basis, the work has important impact on management assessment of major work programs of Commission-wide significance. Work may have significant reputational and/or implications for the Commission. Applies extensive knowledge of the principals and practices of law, state and local government law, and state and local government administration and management. Applies highly specialized forms of analysis in consideration of long-term endeavors; performs intensive analysis and probing assessments of multiple, interactive variables, including uncertainties, to determine effects. Interacts with people inside and outside the organization to exchange information, coordinate, instruct, guide, advise and obtain agreement or compliance or achieve other desired actions. Meets the FLSA standard for exemption as a supervisor. Performs other duties, as assigned.

Work is assigned in terms of functional responsibilities, goals, priorities and resources. The incumbent independently plans and manages all work within assigned unit within this framework and is held accountable for provision of effective legal products and services including advice to management and achievement of work unit and Commission goals. The incumbent is expected to keep the supervisor informed and to seek assistance for unmanageable problems. Work is expected to meet objectives highly effective and is evaluated in terms of achievements, teamwork, customer service and other factors such as skill and ingenuity in overcoming technical and non-technical problems.

### Examples of Important Duties (Estimates Percentages):

#### 1. Unit Management/Staff Supervision (±30%)

- Sets unit work/case load priorities with appropriate input from clients and General Counsel or Deputy General Counsel as appropriate, and manages work/case load according to established priorities. Assures unit compliance with court and similar deadlines. Coordinates unit activities with the General Counsel or Deputy General Counsel, other OGC units and other Commission work units or officials as appropriate.

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- Keeps staff informed of Commission policies and procedures. Establishes goals and objectives for assigned work unit; sets work standards; enforces work rules; plans, schedules, assigns, and reviews the work of unit. Provides input for, recommends and administers approved budgets (controls expenditures); manages staff and other personnel in support of programmatic objectives and operational requirements; monitors work operations; and ensures oversight of the work of consultants and contractors.
- Performs a full range of supervisory HR management functions of assigned work units. Initiates or recommends official personnel actions such as recruitment, selection and transfer. Selects or helps select staff. Trains and develops staff or ensures staff training and development. Mentors and coaches; counsels or disciplines. Approves leave; ensures adherence to Equal Employment Opportunity (EEO) requirements and pertinent Commission policies and procedures. Establishes and communicates objectives and expectations and evaluates performance.

### **2. Quality Assurance/Quality Control/Service Delivery(±60%)**

- Develops, implements and maintains unit-level policies, procedures and performance metrics, and provides quality control for legal work delivered by subordinates.
- Provides expert written and oral legal, policy and management advice to Commission Officers, Department Heads, and other high-level department officials in matters of highest legal complexity – (i.e. the review and approval of major proposed actions, state and local legislation, advice on specialized areas of the law such as employment law, civil rights, land use and finance.) Provides expert analysis of lawful options and consequences of choices and makes recommendations as appropriate. Delivers sensitive advice to high level Commission Officials during public meetings convened as part of Commission regulatory proceedings.
- Prepares and tries cases of a highly complex and sensitive nature in state or federal courts, or evidentiary administrative proceedings, to include complex research and preparation of pleadings, motions and discovery material, determining trial strategy, obtaining and preparing fact and expert witnesses, and advising on and negotiating settlements.
- Prepares highly complex court memoranda and briefs. Argues appeals and judicial review cases of a highly complex and sensitive nature in state and federal courts, and administrative proceedings on the record, which includes preparing the administrative record, conducting legal research and analysis of highly complex legal issues, evaluating the impact of the issues on Commission policies, advising departments of the probability of success or failure, and providing guidance to other attorneys performing similar work.

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- Coordinates externally on special, unique and highly complex legal matters. Meets with Commission staff, citizens, community groups, business groups, courts, regulators and other government agencies to explain legal matters and resolve major problems related to actions of Planning Board or Commission departments. Exchanges information with third-parties and other government agencies as ethically appropriate.
- Prepares, reviews and negotiates documents that have crucial legal, financial and policy implications and are intended to establish binding commitments between the Commission and other entities; analyzes the documents for legal, business and policy consequences and approves the documents, often without further supervisory review, for execution by the Commission.

### 3. Other ( $\pm 10\%$ )

- Provides expert knowledge and support. Conducts research on and maintains proficiency in emerging professional standards. Reviews technical literature and keeps informed of latest methods and standards. Attends conferences to maintain professional knowledge of laws, methods, standards and techniques.
- Serves and participates on ad hoc work groups, task forces, and committees.

### Important Worker Characteristics:

- A. (1) Extensive knowledge of: (a) the principles and practices of law (b) state and local government law; (c) state and local government administration and management; (d) principles of equal employment opportunity; and (e) performance metrics.  
(2) Knowledge of Commission organization, policies and procedures including legal processes\*.

*\*Typically acquired or fully developed primarily after employment in this job class.*

- B. Knowledge of, and skill in, (1) organizing, planning, assigning and reviewing work, (2) managing personnel to accomplish work, and (3) managing work and supervising employees at the first and second levels of supervision, or ability to rapidly acquire this knowledge/skill set; this includes knowledge of, and skill in applying, HR management and EEO principles and practices.
- C. Considerable skill in problem solving in order to select, organize and logically process relevant information (verbal, numerical or abstract) to solve a problem. This includes skill in recognizing subtle aspects of problems and making recommendations and decisions. Examples include researching and analyzing legal and policy matters of profound complexity; solving complex problems applying critical thinking to many variables; establishing systems and procedures in accordance with established principles, guidelines, policies, practices and the law.

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- D. Skill in communication to understand verbal and written information (including facts, assertions and arguments), draw inferences, form hypotheses and develop logical arguments, and to express such information so that others will understand, and at times, agree, comply or take other desired action(s). This includes skills in actively listening to ascertain key information, perspectives, concerns, wants and needs of others, and in communicating effectively to obtain agreement, compliance or other desired results. Examples include difficult presentations to high level officials within the Agency on controversial matters involving explanation of highly complex issues of law and policy; negotiating to obtain agreement on matters; and reading and writing highly complex technical reports and correspondence.
- E. Interpersonal skills to interact effectively with business contacts in a businesslike, customer service-oriented manner; this includes establishing and maintaining effective working relationships and working as a member or a leader of a team concerning highly complex or sensitive matters. Organizes and directs a work unit engaged in providing legal services; leads and manages change for professional groups of significant size and diverse functional responsibilities.
- F. Skill in using a computer; modern office suite software (such as MS Office), enterprise software and specialized software.

### Minimum Qualifications (MQs):

- 1. Law degree from a law school accredited by the American Bar Association.
- 2. Ten (10) years of progressively responsible experience in the practice of law, including four (4) years of specialized legal experience in land use, legal transactions, civil litigation, administrative litigation, or employment law, and two (2) years of experience leading legal professional staff or legal projects.
- 3. A valid license, in good standing, to practice law in the state of Maryland.
- 4. Valid driver's license in accordance with both State and Commission rules and regulations. Driver's licenses must be unencumbered by restrictions, revocations, suspensions, or points that could limit the employee's ability to drive Commission vehicles or perform driving duties required by the position of assignment.

### Working Conditions:

Works in office setting, but on occasion will be required to travel to court and other offices. Work is primarily sedentary and requires light physical effort. Intense pressure at times to meet deadlines.