

The Maryland-National Capital Park and Planning Commission

TITLE: Deputy General Counsel
SERIES: Legal

GRADE: 40
CODE: 2427 EEO: Official/Admin

DATE: 8/15/19
FLSA: Exempt

Class Definition:

Under general direction of the General Counsel, manages legal counsel activities of the Commission for two or more functional work units of the Office of the General Counsel; which includes supervision of attorneys, paraprofessionals and administrative staff and provides expert counsel across assigned work units (e.g., Land Use, Legal Transactions, Civil Litigation, Administrative Litigation, Employment Law). Establishes, plans, organizes, and directs administrative and legal work programs for the department. Develops, implements and monitors department-wide plans, policies and procedures and monitors legal services and work for accuracy and conformance to professional legal standards. Advises and provides guidance on legal services and representation in highly complex matters of law and policy related within multiple areas of law. Incumbents will be involved with formulating innovative solutions to unusually complex and unique legal problems, dispute resolutions and enforcement of public programs and laws in cases which have far-reaching significance in relation to major Commission programs and policies; including substantial direct service, outreach and assistance to inter-agency work groups, local bar associations and the public. The majority of contacts are with the General Counsel and other Commission lawyers, officials, state and local elected officials, regional government officials, members of community, business organizations and members of appointed boards and commissions for purposes of reviewing and approving policies, regulations, legislation, ordinances, and procedures; providing and coordinating dissemination of legal information. Routinely acts in the absence of the General Counsel. 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 units within this framework and is held accountable for provision of effective legal products and services including advice to management and achievement of work units and Commission goals. The incumbent is expected to keep the supervisor informed and to seek assistance only 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.

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Examples of Important Duties (Estimated Percentages):

1. Unit/Team Management ($\pm 30\%$)

- In partnership with the General Counsel, provides strategic planning for the Office of the General Counsel and constituents over a broad range of policies, administrative matters and functions with relevant local, state, and federal agency policies. Develops long-range program plans, goals, objectives, and milestones for evaluating and measuring the effectiveness of the Office of the General Counsel's major programs, accounting for cost effectiveness, program goals and objective and legal and statutory compliance. Assures the department's annual budget reflects the General Counsel's strategic goals. Educates and advocates persuasively for budget approvals among internal, appointed and elected stakeholders.
- Keeps staff informed of Commission policies and procedures. Establishes goals and objectives for assigned work units; sets work standards; enforces work rules; plans, schedules, assigns, and reviews the work of units. 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/Related ($\pm 60\%$)

- Works directly with staff to develop and measure compliance with administrative policies and procedures for the department. Initiates, formulates and manages legal project management business processes and other cutting-edge concepts, principles and methods to address department workforce opportunities and problems, and creates long-range innovative policies and strategies to address unprecedented issues.

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- Works directly with the General Counsel and department/agency technology staff; develops management strategies that leverage matter management and other information technology tools to support Office of the General Counsel's mission and personal productivity. Identifies developments and innovations in legal technologies and determines how related changes/upgrades might help the department increase/maintain operational and mission effectiveness while also controlling costs. Consults with legal staff on an ongoing basis for strategic planning to ensure that the appropriate information technology and communications systems are in place to support the mission of the Agency and Office of the General Counsel.
- In addition to oversight and management responsibilities, handles or participates directly in a number of substantive legal matters as authorized generally or specially directed by the General Counsel. Examples may include:
 - Provides expert written and oral legal, policy and management advice to Commission Officers, Department Heads, and other highest-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.
 - 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.

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

- 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.
- Serves as Acting General Counsel in General Counsel's absence.

Important Worker Characteristics:

- A. (1) Extensive knowledge of: (a) the principles and practices of law; (b) state and local government law; (c) and state and local government administration and management. (2) Knowledge of: (a) strategic planning for public entities; (b) matter management systems or other technology applications for law departments; (c) principles of budgeting for state and local entities; (d) principles of equal employment opportunity; and (e) performance metrics. (3) 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) capital and operations budgeting, using capital and 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 addressing conflicts proactively to minimize disruptions and achieving optimal results; researching and analyzing legal and policy matters of profound complexity; solving complex problems applying critical thinking to many variables; and 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 presenting to high level officials on controversial matters involving explanation of highly complex issues of law and policy; reading and writing highly complex technical reports and correspondence; negotiating to obtain agreement on matters.
- 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 with poise. Organizes and directs two or more work units 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. Twelve (12) years of progressively responsible experience in the practice of law, including six (6) years of specialized legal experience in (a) land use, (b) legal transactions, (c) civil litigation, (d) administrative litigation, or (e) employment law, and four (4) years of experience leading teams or groups of other lawyers working on 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 license 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 mainly 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.