TITLE: CORPORATE COUNSEL
CLASS CODE: 4021

DEPARTMENT: BOARD OF COMMISSIONERS

GENERAL SUMMARY:

Under the direction of the Board of Commissioners, reporting through the Board Chair, with daily oversight of administrative issues provided by the County Administrator, performs professional legal work involved in advising and representing the County on civil matters. Performs related tasks as required.

Whereas the County currently employs separate Bond, Bankruptcy, and Labor Counsel, nothing in this Job Description is intended to preclude Corporate Counsel’s participation in the legal administration of those disciplines.

Although County Policy ADM-1110 “Supplementary Employment” states, in part, that "supplementary employment shall not be unreasonably withheld", for purposes of this job description, if such permission is requested it must be for employment not related to the legal profession.

TYPICAL DUTIES:

1. Serves as legal counsel and provides advice and oral/written opinions to County officials, agencies, boards, authorities, commissions, and employees with respect to their official functions.

   Such duties include but are not limited to election recall and corresponding court proceedings; County Medical Examiner litigation; property tax forfeiture/foreclosure proceedings; Michigan Tax Tribunal litigation; appearances before the State Office of Administrative Hearings; the Department of Human Services administrative proceedings; representing the various agencies, boards, authorities, and commissions of the County such as the Economic Development Corporation, Loan Board, Brownfield Authority, Board of Public Works, Land Bank, and Building Authority; serve as legal counsel to the Drain Commissioner; and landfill use agreement negotiation.

2. The Corporate Counsel assists the county in purchasing property; negotiating leases and contracts; and may be asked to defend the County against personal injury, workers compensation, employment, civil rights and other legal actions.

3. Prosecutes County ordinance violations to include those related to Animal Control, and enforcing county environmental and health ordinances.
4. Represents the County, its officials, agencies, boards, authorities, commissions, and employees in civil proceedings to which they are a party or in which they have an interest. Drafts and reviews all legal documents to accomplish the intended purpose.

5. The duties of the Corporate Counsel shall be limited to civil matters and shall include giving legal opinions to the Board and its committees and interpreting the powers and duties of the Board and County officers.

6. Reviews all Board Resolutions and contracts prior to Board action. Attends Board of Commissioner meetings except when prior arrangements are made, and renders legal advice as required.

7. Collect all claims and accounts due the County in civil matters.

8. Upon request, shall assist the negotiating committee of the County Board in the collective bargaining of labor contracts and shall assist the Personnel Department with the administration of said contracts. Assists the Personnel Department in dealing with the state and federal laws relating to personnel.

9. Upon request, shall perform such other work of a civil nature as may be assigned or delegated by the County Board of Commissioners.

10. Upon request, shall represent the County in bankruptcy proceedings.

11. Performs legal research in order to prepare for trials. Reviews State statutes and case law regarding public corporations.

12. Interviews witnesses and takes depositions, performs legal research relative to the civil trials or related civil actions.

13. Prepares legal briefs for submission to all Federal and State Courts.

14. Serves as the County’s Freedom of Information Act (FOIA) Coordinator. Responds to FOIA requests as appropriate.

15. Serves as attorney/liaison for litigation and other matters as may be referred to Corporate Counsel.

16. Serves as Chair of Health Department Board of Sewage Appeals; drafts deed covenants as required for private septic systems.

17. When requested, speaks to various groups to include the media on legal matters of general concern to County government.

18. Upon request, may be asked to prepare requests for proposal (RFP’s) or to make recommendations regarding the employment of outside counsel.
SPECIAL NOTE:

The Corporate Counsel shall not provide civil legal advice to private citizens in his or her capacity as Corporate Counsel.

DESIRED:

Residency in Berrien County.

MINIMUM EDUCATION AND EXPERIENCE REQUIREMENTS:

Education: Graduation from an accredited law school; and

Experience: Ten years of professional legal experience in the practice of civil law, which includes experience in legal research and the preparation and trial of civil cases. Prior experience in the public sector is preferred.

SPECIAL REQUIREMENTS:

The Corporate Counsel shall be an attorney at law duly licensed to practice in the State of Michigan.

Admission to practice before the Michigan Supreme Court.

A valid vehicle operator’s license is required. Regular, reliable and predictable attendance is required.

Must be available by telephone for the County Administrator and/or Chair of the Board of Commissioners 24 hours a day 7 days a week.

Must be able to perform duties in the absence of a law clerk or paralegal assistant.

Legal experience in the specialized disciplines of bonds, bankruptcies, and labor is desired but not required.

NOTE: This position requires quarterly memos addressed to the Chair of the Board of Commissioners and the Committee on Committees, providing a general description of his/her activities since the previous memo, and goals, including status of on-going projects. These quarterly memos assist the Board of Commissioners when evaluating the performance of the Corporate Counsel.

This description is intended to describe the type and level of work being performed by a person assigned to this job. It is not an exhaustive list of all duties and responsibilities required by a person so classified.

8/19/2010
Amended 04/02/18