

CITY OF OAKLAND



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EMPLOYMENT OPPORTUNITY

OAKLAND CITY ATTORNEY'S OFFICE

Deputy City Attorney V

Departmental Counsel for the Oakland Police Department

Salary Range: \$156,458.77 – \$192,085.81 annually
(Position and Salary will be based upon experience)

Recruitment Opens: January 31, 2019

Deadline to Apply: Open Until Filled

The City Attorney's Office seeks a well-qualified, highly motivated attorney to serve as departmental counsel ("DC") for the Oakland Police Department ("OPD") as a Deputy City Attorney V ("OPD-DC").

The ideal candidate should have significant experience advising and representing public entities – including law enforcement agencies – as well as litigation experience. The Deputy City Attorney V is the most advanced and highest level classification in the Deputy City Attorney series.

OPD-DC will serve as a lawyer within the City Attorney's Office. OPD-DC also must work closely with Department commanders, the City Administrator, Mayor, police officers and civilian personnel. The OPD-DC may supervise other attorneys.

OPD-DC must advance the City's and the City Attorney Office's commitment to transparency, fairness and respectful policing.

Agency Description

The City Attorney's Office provides legal advice and counsel to the City and City departments and agencies in areas including but not limited to public contracting, land use, real estate, housing, public works, parks and recreation, health and welfare, library, police, fire and various other public services, personnel, elections, conflicts of interest, municipal finance, retirement, housing and economic development. Services include negotiating and drafting and advising regarding development agreements, drafting and

reviewing contracts, legislation and other documents, and providing litigation services in the defense of ordinances and other administrative actions and in specialized areas such as probate, tax and bankruptcy. Additionally, the City Attorney's Office is legal counsel for the City Council, Council committees, Mayor, City Administrator, City Auditor, City boards and commissions, various City-wide task forces and City agencies and departments.

A working knowledge of municipal law basics, such as the Brown Act, the Political Reform Act and the Public Records Act is a plus. The ability to quickly develop proficiency in new areas of law and general municipal law is essential, and the ability to work effectively in a diverse environment also is essential.

This is an "at will" position that is exempt from the provisions of the City of Oakland Civil Service Rules. Incumbents serve at the pleasure of the City Attorney.

Deputy City Attorneys V are represented by the Deputy City Attorney V and Special Counsel Association of the International Federation of Professional & Technical Engineers, Local 21.

Job Description

Typical duties may include, but not be limited to the following:

- Advising on all Department policies—some examples are policies on the use of force, pursuits, protests, and searches and seizures;
- Advising the Department's pursuit and force review boards;
- Advising on the City's compliance with the Negotiated Settlement Agreement in *Delphine Allen v. City of Oakland* and making presentations to the federal court;
- Overseeing the City's responses to *Pitchess* motions, *Brady* requests, and *Giglio* requests;
- Advising on the Department's response to Public Records Act requests;
- Advising the Department on responses to civil and criminal subpoenas and court orders, including: drafting objections, oppositions and declarations; meeting and conferring with opposing counsel; and making appearances in state and federal court;
- Preparing Department personnel for and attending depositions;
- Attending daily meetings and maintaining office hours at the Police Administration Building;

- Representing the Office of the City Attorney at the City's Emergency Operations Center for major and critical incidents that require a police presence or response, including marches, protests and natural disasters;
- Handling high-profile cases, such as civil rights cases;
- Handling appeals;
- Working with federal courts, state courts, prosecutors, public defenders, county counsel, and outside law enforcement agencies on various issues involving the Department;
- Reporting to the City Council and attending City Council and City Council Committee meetings;
- Assisting with the City's efforts to collect stop data and to use that data to enhance police practices;
- Taking part in the Department's trust-building efforts within the community;
- Providing updates on developments in the law that impact the Department;
- Researching and writing legal opinions;
- Advising on POST-related issues;
- Writing and reviewing reader-friendly briefs and public documents;
- Understanding the Department's Internal Affairs and disciplinary procedures;
- Coordinating advice and counsel with the labor/employment and litigation divisions;
- Performing legal research, interpreting and applying laws and court decisions, including in the preparation of opinions and briefs;
- Overseeing outside counsel;
- Skillfully and professionally presenting legal advice to the Mayor, City Administrator, OPD and lay people, and defending legal analyses;
- Inspiring confidence and respect for legal advice;
- Interacting with other in-house attorneys as part of a team and occasionally as team leader to provide the best product for clients of the City Attorney's Office; and
- Providing training to attorneys, City staff and elected officials

The City Attorney may assign the selected attorney to new, additional or different duties or practice areas in either litigation or transactional work or to a non-supervisory role in the future. The DCA V may receive general supervision from a Special Counsel, Chief Assistant City Attorney and/or the City Attorney. Attorneys in this diverse and exciting Office frequently work collaboratively with other attorneys, and other City Departments and other agencies on a wide variety of issues.

Minimum Qualifications

NOTE: *The following qualifications are guidelines as the appointing authority has broad discretion in filling positions in this classification.*

- One year of increasingly responsible work experience comparable to a Deputy City Attorney IV in the City of Oakland,

- or -

- Ten years of professional experience in relevant areas of law
- Candidates must possess excellent knowledge of federal and state court procedures, including local rules. Excellent writing and oral argument skills are needed

Education

- The incumbent must be a graduate of an accredited law school
- License or Certificate
- A member in good standing of the California State Bar
- Incumbents in this position are expected to operate automotive vehicles in the performance of assigned duties. Due to assignments and hours of work, public transportation may not be an efficient method for traveling to required locations. Selected individual will be required to maintain a valid California Driver's License during City employment or demonstrate the ability to travel to required locations in a timely manner

Desirable Skills and Traits

- Language skills, especially in Spanish, Cantonese and/or Mandarin
- Working knowledge of municipal, state and federal laws, ordinances and codes affecting City government
- Strong work ethic and commitment to excellence
- Aspires to and foresees and anticipates potential issues, questions, repercussions of matters the incumbent handles
- Possesses and exhibits leadership ability and skill needed for the leadership role that this position plays
- Sound legal judgment, proactive initiative, comprehensive, sharp and quick ability and skill to analyze issues
- Consensus building and leadership skills

- Possesses and exhibits the verbal communication skills to be a consensus builder and leader
- Exhibits attention to detail in written product to withstand high levels of scrutiny
- Possesses and exhibits skill to manage and coordinate projects and to keep City Attorney, Special Counsel and Chief Assistant City Attorney apprised of issues and potential developments in a timely manner

Ability to:

- Interpret and apply various statutes, ordinances and case law;
- Conduct research on legal problems and prepare sound legal opinions/advice;
- Analyze and prepare a wide variety of legal documents;
- Handle jury trials;
- Present cases in court and administrative proceedings;
- Handle stressful or sensitive situations with tact and diplomacy;
- Communicate effectively in both oral and written form with City officials, representatives of outside agencies and the public;
- Complete varied assignments within a narrow time frame;
- Establish and maintain effective work relationships with those contacted in the performance of required duties;
- Inspire confidence and respect for legal advice;
- Skillfully and professionally present legal advice to clients including the elected and high level appointed officials; and
- Interact with other in-house attorneys as part of a team, and occasionally as team leader, to provide the best product for clients of the City Attorney's Office.
- Respond to time-sensitive client inquiries outside normal office hours and on weekends
- Ability to work collaboratively and effectively with a wide range of individuals, organizations, City staff and officials and a diverse City workforce and community.

Benefits

The City of Oakland offers an excellent salary and benefits package. The benefits package includes:

- Public Employees Retirement System (PERS) retirement.
- Health plan fully or partially-paid, depending on your plan choice.

- Dental plan and orthodontics for employee and dependents.
- Vision plan for employee and dependents.
- Life insurance.
- Management leave, vacation leave, sick leave and holidays.
- Deferred compensation plan.

HOW TO APPLY

Submit a completed City of Oakland employment application, current résumé and the attached supplemental questionnaire **by email** to:

City of Oakland, Office of the City Attorney
One Frank H. Ogawa Plaza, 6th Floor
Oakland, California 94612

Attention: resumes@oaklandcityattorney.org

To obtain an application package, you may visit the Office of the City Attorney, One Frank H. Ogawa Plaza, 6th Floor, Oakland, CA or the City Attorney's website at: www.oaklandcityattorney.org

Final Filing Date: Open Until Filled

The City of Oakland is an Equal Opportunity / ADA employer

SUPPLEMENTAL QUESTIONNAIRE
Deputy City Attorney V
OPD Departmental Counsel

The purpose of this supplemental questionnaire is to assess your qualifications, training and experience in specific job-related areas. Your answers to these questions along with your completed application will be used to select the most suitably qualified candidates.

Applications submitted without a completed supplemental questionnaire will not be considered.

Respond to each question fully, describing your specific experience and accomplishments. Responses must be legible and typewritten responses are preferred.

1. Describe your litigation experience, including any writ, trial preparation, trial and appellate experience.
2. Describe your advisory experience, including legal opinions, projects and advice and counsel you have provided to individuals, elected bodies, elected officials and high-level appointed individuals, such as department heads or division heads.
3. Describe the five most complex writs, motions and appeals that you have drafted and argued. What were the outcomes of the proceedings?
4. Describe your experiences that fit with the OPD DC's duties.
5. List the judges, justices or other judicial officers before whom you have appeared.
6. Provide at least one, but no more than three, writing samples for which you were the primary author (that would be samples of any of the experiences described in Questions No. 1 and No. 2). Redact any identifying information if necessary.

CERTIFICATION OF APPLICANT

I understand that all information provided herein is subject to verification, and is true to the best of my knowledge.

Signature

Date