



# CITY OF OAKLAND EMPLOYMENT OPPORTUNITY

## SPECIAL COUNSEL SUPERVISING GENERAL AND COMPLEX LITIGATION DIVISION (DEFENSE) IN THE OFFICE OF THE CITY ATTORNEY

**Salary Range: \$164,281.32 - \$201,694.44**

**Benefits:** Health, dental, vision, retirement and other competitive benefits

**Recruitment Opens: Tuesday, September 11, 2018**

**Deadline to Apply:** Open until filled

### THE POSITION

The City Attorney's Office seeks a well-qualified, highly motivated attorney to serve as Special Counsel and supervise the General and Complex Litigation Division (Defense).

The ideal candidate will have substantial and significant litigation experience and expertise. Experience in supervising attorneys, handling general administrative matters, and managing outside counsel also is desirable.

The Special Counsel will directly advise and also supervise attorneys who handle litigation and related matters, including but not limited to: (1) trip and fall, (2) inverse condemnation, (3) employment, (4) civil rights, (5) breach of contract, (6) wrongful death and (7) constitutional claims.

### **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.

Attorneys in the General and Complex Litigation Division advocate for the City's interests in claims and lawsuits filed against the City, its officers, employees and agencies. The lawsuits are filed in state or federal court and include but are not limited to high dollar personal injury and employment cases, complex civil rights actions, breach of contract, personnel actions, eminent domain, alleged constitutional violations, police use of force, disability, race, sex, age discrimination and inverse condemnation.

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.**

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

### **Job Description**

Duties may include but are not limited to:

- Overseeing and supervising the General and Complex Litigation Division (Defense).
- Providing advice and guidance and reviewing work of the attorneys in the Division.
- Handling supervisory administrative matters including allocating work assignments among supervised attorneys; preparing attorney performance reviews, and attending meetings with senior City staff, City Attorney management and other attorney supervisors.
- Attending meetings with high-level elected and appointed City officials.
- Directly providing advice and counsel for lawsuits, serving as co-counsel or lead counsel with supervised attorneys on projects, lawsuits and other matters. The size of the Litigation Division is small and the supervising attorney necessarily will have his/her own projects/matters/cases/lawsuits for which s/he is responsible in addition to supervising the supervised attorneys.
- Performing and/or reviewing legal research, interpreting and applying laws and court decisions.
- Providing and/or supervising and reviewing legal advice related to claims and lawsuits.
- Supervising and/or handling all aspects of litigation.
- Keeping the Chief Assistant City Attorney apprised of key issues and developments; anticipating, foreseeing and planning strategy, discovery and trial preparation.
- Ensuring coordination with Chief Assistant City Attorney who supervises the Litigation Division and with the Chief Assistant City Attorney who supervises the Advisory Division.
- Ensuring coordination with and keeping the relevant Departments/Agencies apprised of developments and upcoming hearings, decisions and closed session presentations and other matters.
- Apprising the Chief Assistant City Attorneys and City Attorney of policies, procedures, contracts and laws that may need to be revised or established to clarify the City's responsibilities, obligations and duties.
- Supervising and/or acting in an advisory capacity at meetings of the City Council, City boards and commissions.
- Reviewing staff reports; writing City Council reports for open and closed sessions.
- Developing expertise in a particular area of municipal law.
- Overseeing outside counsel.
- Exercising sound judgment and clearly explaining legal advice to attorneys and lay people and defending legal analyses.
- Responding to questions posed by members of the public.
- May serve as counsel to City Council committees and City boards, or commissions.
- Attending evening and late night meetings on matters and issues involving lawsuits, claims and other matters that the General and Complex Litigation Division handles.

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 Special Counsel may receive general supervision from a 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**

Any combination of experience and education that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

### **Experience**

- **Special Counsel** must have a minimum of 10 years of professional experience in relevant areas of law.

### **Education**

- Graduate of accredited school of law.

### **License or Certificate**

- A member in good standing of the California State Bar.
- Incumbents in this position are 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. Due to assignments and hours of work, public transportation may not always be an efficient method for traveling to required locations.

## **Desirable Skills**

- Language skills, especially in Spanish, Cantonese and/or Mandarin.
- Working knowledge of municipal, state and federal laws, ordinances and codes affecting City government.

## **Ability to**

- Interpret and apply various statutes, ordinances and case law.
- Conduct research on legal issues and prepare sound legal opinions/advice.
- Analyze and prepare a wide variety of legal documents.
- 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.
- Coordinate with and supervise and work as a team with outside counsel
- Present cases in court and administrative proceedings.
- Establish and maintain effective work relationships with those contacted in the performance of required duties.
- Inspire confidence and respect for legal advice and legal expertise in handling litigation matters. for
- Skillfully and professionally present legal advice to clients including elected and high-level appointed officials.
- Interact with other in-house attorneys as part of a team, and as team leader, to provide the best product for clients of the City Attorney's Office.

## **Benefits**

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

- Public Employees Retirement System (PERS) retirement.
- Dental plan and orthodontics for employee and dependents.
- Vision plan for employee and dependents.
- Health plan fully or partially-paid, depending on your plan choice.
- Life insurance.
- Management leave, vacation leave, sick leave and holidays.
- Deferred compensation plan.
- Professional Development Allowance.

### **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, 6<sup>th</sup> Floor  
Oakland, California 94612

**Attention:** [resumes@oaklandcityattorney.org](mailto:resumes@oaklandcityattorney.org)

This job announcement and additional employment information including the application form is available on-line at: [www.oaklandcityattorney.org](http://www.oaklandcityattorney.org)

**The City of Oakland is an Equal Opportunity / ADA employer**

## **Supplemental Questionnaire**

### **Special Counsel General and Complex Litigation Division (Defense)**

**Recruitment Opened: Tuesday, September 11, 2018**

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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. The City Attorney has discretion not to consider applications that are submitted without a completed supplemental questionnaire. Respond to each question fully, describing your specific experience and accomplishments. Responses must be legible and typewritten responses are preferred.

1. Explain and summarize why you are interested in this position and why you believe you are well qualified for the position.
2. Fully describe your litigation experience, including any trial preparation and trial and law and motion and appellate and supervisory experience, serving as first chair or co-counsel on cases. Provide examples of matters/projects you have handled and include in your answer the types of clients, the nature and scope of issues as well as your role advising clients.
3. Fully describe the five most complex motions you have drafted and/or argued, and the outcomes. Provide examples of matters/projects you have handled and include the types of clients, the nature and scope of issues as well as your role advising clients, including relevant public agency experience.
4. Please list the judges, justices, or other judicial officers before whom you have appeared.
5. Please describe your appellate experience over the past five years.
6. Provide at least one, but no more than three, writing samples where you were the primary author that would be samples of any of the experiences described in Questions 1 and 2. Redact any identifying information if necessary.
7. Describe your experience in supervising attorneys, including but not limited to supervising land use, real estate/economic development and/or other areas.
8. Describe any relevant public agency experience as well as your interest in this type of practice.

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

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**Signature**

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**Date**