

**MONTGOMERY COUNTY GOVERNMENT
ROCKVILLE, MARYLAND
CLASS SPECIFICATION**

**Code No. 006107
Grade 27**

ASSISTANT COUNTY ATTORNEY II

DEFINITION OF CLASS:

This is intermediate professional legal counsel work performing duties of a varied nature in support and representation of the County Government. The majority of contacts are with staff from other County departments and agencies for the purposes of reviewing and making recommendations on policies, regulations, legislation, ordinances, and procedures; Federal and State Judges, and administrative hearing officers to present and defend the County's legal interests; and members of boards and commissions and employees of private businesses to defend and explain the County's policies and procedures from a legal viewpoint. Limited direct service and assistance to the public is required in this class.

An employee in this class is responsible for providing legal representation of the County Government and its agents and participants of the self-insurance fund by providing policy and legal guidance and legal research and opinions for department/agency representatives; reviews, prepares, and approves various legal documents; and serves as legal counsel for Montgomery County in Trial and Appellate Courts. The employee assists in policy development and has full responsibility for the work assigned, to include independently planning and carrying out all necessary steps to complete normal assignments. The work is reviewed for effectiveness in meeting the objectives of the team of attorneys to which an employee in this class is assigned, and legal requirements of the Office of the County Attorney. Guidelines exist in the form of Federal, State and local laws and are stated in general terms, requiring research and analysis to devise the best possible approaches and methods for presenting cases in court, and for extrapolating trends and patterns in court decisions to devise innovative solutions or new policies to meet assignment requirements. The complexity of the work is marked by a broad range of activities in the specialized field of law characterized by unclear facts, issues and precedents, requiring the exercise of broad discretion and professional judgment often involving high stress, time constraints and vigorous adversarial contest. Issues presented are unique in nature and involve creative and innovative analysis and reasoning to reach appropriate conclusions; extensive research and analysis may be required. The impact of this class of work directly affects the ability of the County to provide essential services and to avoid liability of significant fiscal impact. Work has substantial impact on actions to be taken by County officials, and the character of department/agency policies, programs and procedures. This class is distinguished from the next lower class by the extent of full responsibility for work assignments; the increased intricacy of the issues and processes involved in performing the work; the increased effect of the work both within and outside of the County Government; and the variety and purpose of contacts. Work is sedentary, performed in a typical office and courtroom setting, and subject to common everyday risks.

EXAMPLES OF DUTIES: (Illustrative Only)

- Prepares and tries court cases of varied complexity, in State and Federal courts, to include research and preparation of all pleadings, trial memoranda, motions, and discovery, and the examination and cross examination of all witnesses.

- Determines the need for general and expert witness, and physical and documentary evidence, and makes arrangements for same.
- Prepares and tries cases before administrative tribunals such as the Maryland Workmen's Compensation Commission, the Montgomery County Human Relations Commission, the Montgomery County Board of Appeals, and the County Merit System Protection Board.
- Prepares opinions and rulings on a variety of legal questions.
- Reviews, negotiates, approves, interprets and drafts County legislation, regulations, ordinances, proposed policies and procedures, and legal documents such as contracts, leases, deeds, trusts, bond forms, memoranda of understanding, settlement agreements, and personnel transactions.
- Prepares and tries court cases to include cases of a complex nature where senior attorneys are not available.
- Writes briefs and argues cases in the State and Federal courts, up to the State and Federal Courts of Appeal.
- Provides legal advice in the form of written and oral opinions and counsels representatives of County departments, offices, boards, and commissions.
- Assists representatives of County departments/agencies in the development of policies and procedures by reviewing and recommending changes in accordance with County and legal mandates.
- Compiles data, establishes and maintains case records.
- Serves as legal liaison between County, State and local municipalities.
- Serves as legal representative for the County on task forces and committees formed to respond to major legal issues facing the County.
- Performs related duties as required.

KNOWLEDGE, SKILLS AND ABILITIES:

- Knowledge of Federal, State and County laws, ordinances, and regulations, including statutory and case law and rules and regulations.
- Knowledge of Federal, State and administrative court procedures.
- Skill in dealing and communicating with department/agency heads, public officials and employees, as legal clients, to resolve short and long term legal problems presenting substantial economic and public policy consequences, to include negotiating agreements between County agencies and representatives of the public.
- Skill in explaining and defending policies, procedures and legal decisions, both verbally and in writing, to include dealing with members of the press and other public media representatives in explaining complex legal concepts, decisions and policies.
- Ability to try complex cases in all courts and at all levels, including appellate levels, with appropriate skills in evidence, oral advocacy, legal writing and trial preparation.
- Ability to assimilate and analyze and synthesize various complex facts, issues and problems, and to render a legal conclusion based on the analysis.
- Ability to negotiate, devise and draft unique and effective legislation and other legal documents to meet public policy needs.
- Ability to determine alternative courses of legal action and the impact of same, and to recommend choices.
- Ability to effectively present and argue cases in court, before administrative agencies, and in public hearings and forums.

- Ability to deal tactfully, courteously, and effectively with people.
- Ability to attend meetings or perform work at locations outside the office if necessary.

MINIMUM QUALIFICATIONS:

Education: Graduation from an accredited university school of law.

Experience: Two (2) years of professional experience as an attorney, including trial experience.

Equivalency: None.

LICENSE:

- Membership in the Maryland State Bar. **Note:** There will be no substitutions for this section.

PROBATIONARY PERIOD:

Individuals appointed to a position in this class will be required to serve a probationary period of twelve (12) months and, if promoted to a position in this class, will be required to serve a probationary period of six (6) months. Performance will be carefully evaluated during the probationary period.

Continuation in this class will be contingent upon successful completion of the probationary period; and, for employees hired without Maryland State Bar membership, admittance to the Maryland State Bar.

MEDICAL EXAM PROTOCOL: Medical History Review.

Class Established: June, 1969

Revised: August, 1975

July, 1988

Classification Study: December, 1994 (M)

November, 2004

August, 2013

October, 2014

(Licensure Change): June 2022