



**Orange County Department of Education  
Human Resources Department  
Classified Management Class Specification**

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**Counsel I  
Counsel II**

**Class Code: 1122; Work Days: 225  
Class Code: 1121; Work Days: 225**

**GENERAL PURPOSE**

Perform a variety of professional duties involved in providing a full range of legal services related to Department of Education operations; conduct legal research and prepare formal opinions, memoranda, administrative rules, and regulations, and other legal documents; advise Department of Education divisions, units, boards, and commissions; and provide highly responsible and complex staff assistance to higher level management staff.

**SUPERVISION RECEIVED AND EXERCISED**

1. Receives direction from the General Counsel.
2. Exercises functional and technical supervision over clerical and technical staff.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

*This position description is intended to describe the general nature and level of work performed by an employee assigned to this position. This description is not an exhaustive list of all duties, responsibilities, knowledge, skills, abilities, and working conditions associated with this position. All requirements are subject to possible modification to reasonably accommodate individuals with a disability.*

1. Recommend and assist in the implementation of goals, objectives, and strategic plan; establish schedules and methods for providing specialized services; implement policies and procedures.
  2. Participate in the drafting of legal documents, rules and regulations, resolutions, conveyances, contracts, and various related matters.
  3. Analyze and review contracts which bind or obligate the Department of Education including contracts for the purchase of real property, facilities, and major equipment and materials; provide legal opinions and recommendations to ensure the Department is properly and effectively represented in such matters.
  4. Review and prepare agreements for leases of land, facilities, equipment, and employment of consultants; draft model agreements for use by the school districts.
  5. Advise school districts in the management and control of real and personal property; advise on preventive law including personal injury, property damage, liability, insurance, and discrimination.
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## **ESSENTIAL DUTIES AND RESPONSIBILITIES (cont.)**

6. Advise school districts on child abuse issues, the reporting of child abuse, and exposure to liability for child abuse; advise on school district's rights issues, including attendance, grades, records, search and seizure, freedom of expression and discipline.
7. Advise Department divisions and units on a variety of other legal matters; evaluate claims, provide legal advice, and participate in the negotiation of settlements.
8. Render legal opinions as required; conduct on-going legal research in connection with legal issues pertaining to the Department of Education and school districts.
9. Draft original legislation as required; review proposed legislation for school impact.
10. Assist in the negotiation and mediation of solutions to Department of Education problems and other problems which arise involving third parties.
11. Research, respond to, and provide guidance on complaints regarding Department of Education and school district employees, policies or procedures.
12. Answer questions and provide information to the general public and public agencies regarding Education Code and Department of Education policies and procedures.
13. Perform in depth legal research on an on-going basis on a wide variety of legal matters.
14. Attend and participate in professional group meetings; stay abreast of new trends and innovations in the field of law.
15. Participate in the efforts of staff in Department of Education divisions and units in resolving and responding to legal matters.
16. Select, train, supervise, and evaluate assigned personnel; work with employees to correct deficiencies.
17. Provide coaching to employees; collaborate on goal development, set clear expectations, provide constructive feedback, and check in regularly for understanding.
18. Plan, prioritize, assign, supervise, and review the work of staff responsible for providing legal services; prepare work schedules for appropriate staff.
19. Demonstrate attendance sufficient to complete the duties of the position as required.
20. Perform related duties similar to the above in scope and impact as required.

## **QUALIFICATIONS (KNOWLEDGE, SKILL, ABILITY REQUIREMENTS)**

### **Knowledge of:**

1. Basic operational characteristics, services, and activities of a law program.
2. Basic organization, duties, powers, limitations, and authority of the Department and the Legal Services Unit.
3. Principles and applications of administrative law.
4. Judicial procedures and rules of evidence.
5. Methods of legal research; established precedents applicable to activities.

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**Knowledge of (cont.):**

6. California Education Code, Administrative Codes and the Government Code.
7. Principles of effective supervision, leadership, training, coaching and performance evaluation.
8. Pertinent federal, state, and local laws, codes, and regulations.

**Ability and Skill to:**

1. Interpret and apply legal principles and procedures.
2. Present statements of law, fact, and argument clearly and logically.
3. Conduct research on legal problems and prepare sound legal opinions.
4. Properly interpret and make decisions in accordance with laws, regulations, policies, and procedures.
5. Analyze legal issues and prepare legal documents.
6. Organize, interpret, and apply legal principles and knowledge to legal problems.
7. Select, train, lead, coach, direct the work of, supervise, and evaluate professional and technical employees; effectively delegate authority and responsibility.
8. Interpret the organizational and division strategic plan and create relevant goals and plans for assigned areas.
9. Establish and maintain effective working relationships with various constituencies.
10. Prepare clear and concise correspondence, reports, and other written materials.
11. Analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of goals.

**Education, Training and Experience:**

A typical way of obtaining the knowledge, skills, and abilities outlined above is a Juris Doctorate from an accredited law school and membership in the California State Bar, and one year of responsible professional legal experience.

**COUNSEL II**

**In addition to the qualifications for Counsel I:**

**Knowledge of:**

1. Operational characteristics, services and activities of a law program.
2. Organization, duties, powers, limitations, and authority of the Department and the Legal Services Unit.

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**Ability and Skill to:**

1. Evaluate practical consequences of legal strategies.
2. Analyze a wide variety of legal issues and prepare diverse legal documents.
3. Adopt new technologies in practicing law.

**Education, Training and Experience:**

A typical way of obtaining the knowledge, skills, and abilities outlined above is a Juris Doctorate from an accredited law school and membership in the California State Bar, and three years of responsible professional legal experience.

**PHYSICAL AND MENTAL DEMANDS**

*The physical and mental demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

**Physical Demands**

While performing the duties of this job, employees are regularly required to bend, stoop, push, pull, grasp, squat, twist, kneel, walk, sit, and reach to access materials or equipment and complete other tasks as assigned; lift and carry up to 25 pounds; and lift from ground, waist, chest, shoulder, and above shoulder level. The position may include occasional need to traverse uneven surfaces.

Employees in this classification are to be able to travel countywide to a variety of sites within a reasonable time frame; read written and electronic materials; communicate clearly in person, on the phone, and via email; and operate all required equipment.

**Mental Demands**

While performing the duties of this class, employees are regularly required to use written and oral communication skills; read and interpret information; analyze and solve problems; use mathematical reasoning; make observations; learn and apply new information or skills; perform highly detailed work; work on multiple, concurrent tasks with frequent interruptions; work under intensive deadlines and meet productivity requirements; and interact successfully with various groups of people encountered in the course of work.

**WORK ENVIRONMENT**

*The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

Employee typically works in an office environment that is fast paced with high pressure.

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