

# CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

## Sitting/Acting as (if applicable) Policy Session Worksheet

**Presentation Date:** 4/3/18      **Approx. Start Time:** 1:30      **Approx. Length:** 60 minutes

**Presentation Title:** Setting expectations and goals for County Counsel

**Department:** BCC/County Counsel

**Presenters:** Stephen Madkour

**Other Invitees:** none

### WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

The development, with Mr. Madkour, of goals and expectations for the coming year.

At this point the 2017/18 performance management cycle has concluded. Setting goals and expectations is the first step in the 2018/19 process.

Establishing clear expectations helps to support an objective measure of performance. They allow for focused status checks and realignment. At the end of the cycle they will be the basis of the assessment with additional input coming from the 360 survey.

### EXECUTIVE SUMMARY:

### FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget?    YES       NO      NA

What is the cost? \$ 0

What is the funding source? NA

### STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?
- How does this item align with the County's Performance Clackamas goals?

Goals and expectations should align with the department's strategic plan and the County's Performance Clackamas goals.

### EQUITY, DIVERSITY AND INCLUSION:

- How does this Policy Session related to the County Core Values and equitable service delivery?

Employee performance management aligns closely with Core Values. Both the outcomes and the conversations held as part of the process must reflect our Core Values. An employee performance management process should be one of Professionalism, Integrity, Respect and Trust.

**LEGAL/POLICY REQUIREMENTS:**

The incumbent has exercised his right to have this conversation as part of a policy session. (192.660(2) (i))

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

**OPTIONS:**

**RECOMMENDATION:**

**ATTACHMENTS:** Classification Specifications for County Counsel

**SUBMITTED BY: Jeri Oswald, Human Resources**

Division Director/Head Approval \_\_\_\_\_

Department Director/Head Approval \_\_\_\_\_

County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact _Jeri Oswald____@ 503- _655-8797
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CLACKAMAS COUNTY

CLASSIFICATION NO. 089

Established: 12/76

Revised: 01/93, 12/07

FLSA: Exempt

EEO: 1

## **COUNTY COUNSEL**

### **CLASS CHARACTERISTICS**

Under policy direction, to plan, organize, direct and manage all civil legal personnel and activities for the County; to provide legal advice and guidance to the Board of County Commissioners and other County officials; and to do other work as required.

### **DISTINGUISHING CHARACTERISTICS**

The Office of County Counsel provides legal representation and advice to the Board of County Commissioners, County departments, elected officials and other authorities in relation to their official duties.

The County Counsel directs the Office of County Counsel and oversees all legal matters of a civil nature which involve the County. The incumbent reports to the Board of County Commissioners. Within broad objectives established by the Board of County Commissioners, the incumbent develops and implements goals, objectives, policies and priorities.

### **TYPICAL TASKS**

Duties may include but are not limited to the following:

1. Provides legal counsel to the Board of County Commissioners, County officers, County Administrator, department directors and various boards and commissions; attends public meetings and work sessions; approves legal form of all official ordinances, orders and actions of the Commissioners; advises on legal rights and responsibilities and other legal issues.
2. Provides or oversees legal representation in all civil matters on behalf of the County; prosecutes, defends and appeals legal actions, suits and other proceedings; prepares and presents cases at trials or hearings; evaluates and

negotiates out of court settlements; represents the County in court and before administrative tribunals.

3. Advises County departments on appropriate action for a variety of legal problems and issues, particularly those involving county-wide policies or politically sensitive issues; interprets Federal, State and local legislation, statutes, rules and regulations; reviews and makes recommendations on proposed policy or procedural changes.

4. Directs the preparation and analysis of proposed state and federal legislation affecting County operations; represents the County's interest at legislative hearings.

5. Directs the research and preparation of legal opinions, memoranda, ordinances, resolutions, contracts, agreements, deeds and other legal documents; reviews and analyzes court decisions and pending legislation.

6. Develops and implements new and revised policies and procedures for the Office of County Counsel; establishes goals, standards and objectives; establishes annual work plans; coordinates services with other departments and government agencies.

7. Develops annual and supplemental budgets for the office of County Counsel; presents budget proposals to the County budget committee and Board of County Commissioners; monitors revenues and expenditures.

8. Hires and directs department professional and supervisory staff to provide quality service to citizens and County staff; prepares performance evaluations; administers progressive discipline; conducts and/or facilitates staff training and development programs; promotes cooperative team efforts among staff and with other County departments.

9. Participates as a member of the County's Executive Management Team to facilitate effective and quality service delivery in all County programs.

### **REQUIRED KNOWLEDGE AND SKILLS**

Considerable knowledge of: Principles and practices of municipal law, litigation and labor relations law; principles and techniques of negotiation, mediation and conflict resolution; principles and techniques of legal writing,

judicial procedure and rules of evidence; Federal, State and local statutes, regulations, rules and ordinances applicable to County activities and functions, including municipal liability, public meetings, torts, land use, public records and public financing; organization of County government; County ordinances, rules and policies; department policies and procedures; civil trial and appellate procedures in state and federal courts and administrative tribunals; legal terminology; principles of public administration, including budget administration and personnel management; participative management theories.

Skill to: Provide accurate and practical legal advice; interpret and apply complex legal principles; effectively present legal positions to judges, juries, hearings officers and the public; analyze problems and identify alternative solutions; establish findings of fact and decisions in concise written form; communicate effectively, both orally and in writing; direct staff in continuous efforts to improve quality, productivity and effectiveness; incorporate team participation in decision making; respond to changes desired by citizens and County staff; establish and maintain effective working relationships with elected officials, government agencies, court system personnel, private and public attorneys, County employees and the public; prepare and administer a budget; supervise professional and paraprofessional legal personnel; draft legal documents and provide legal opinions in response to client requests in a timely manner; determine the county's legal liability when claims are filed; efficiently and effectively resolve the claims through settlement or litigation; assist the county in preventing liability, as well as vigorous defense of claims; continuously upgrade practice skills of staff and meet professional standards for continuing legal education.

### **OTHER REQUIREMENTS**

Active member of the Oregon State Bar.

Must successfully pass a criminal history check which may include national or state fingerprint records check.

Driving is required for County business on a regular basis or to accomplish work. Incumbents must possess a valid driver's license, and possess and maintain an acceptable driving record throughout the course of employment.

### **MINIMUM RECRUITING STANDARDS**

Any satisfactory combination of experience and training that demonstrates

possession of the required knowledge and skills.

Edited: 3/13

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## **Duties, Tasks, Goals, and Objective of the County Counsel**

The County Counsel shall be the chief legal officer of the County, and oversees all legal matters of a civil nature involving the County.

Within broad objectives established by the Board of County Commissioners, the County Counsel will plan, organize, direct and manage all civil legal personnel and activities for the county, work closely with the County Administrator, and keep the Board informed of pertinent matters.

The County Counsel shall perform all day-to-day functions necessary for the administration and management of the Office of County Counsel.

Such duties include but are not limited to the following:

- A. Develops and implements policies and procedures for the Office of County Counsel.
- B. Provides or oversees legal representation as determined by the Board in civil matters on behalf of the County.
- C. Provides legal counsel to the Board of County Commissioners, County officers, the County Administrator, department directors, County employees and various boards and commissions, on matters pertaining to official County operations.
- D. Advises County departments on appropriate action for a variety of legal problems and issues.
- E. Provides legal advice and analysis of proposed state and federal legislation affecting County operations.
- F. Directs the research and preparation of legal opinions, memoranda, ordinances, resolutions, contracts, agreements, deeds and other legal documents.
- G. Selects, appoints, supervises, disciplines and dismisses all Office of County Counsel staff and assistant county counsel, including, but not limited to, Legal Counsel and Legal Counsel, Senior. The County Counsel has the authority to sign employment contracts for such employees, as unclassified employees, consistent with other employment contracts. The County Counsel shall consult the Board on these matters.
- H. Hires outside legal counsel on behalf of the County, subject to applicable law and County policy, upon such terms and conditions as may be approved by the Board.
- I. Conducts such other activities and assignments as may be required by the Board.