

CITY OF HELENA



Position Title: Deputy City Attorney-Prosecutor

Department: City Attorney

Grade: 160

FLSA: Exempt

The City of Helena is an equal opportunity employer. The City shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Job Purpose:

Under direction of the City Attorney, performs a variety of professional duties involved in providing a full range of legal services related to municipal government operations; to represent the City in proceedings before courts, administrative agencies and boards, arbitrators, and other administrative agencies; to investigate, prepare and prosecute civil and misdemeanor criminal cases in courts; to develop legal documents; and to advise City departments, staff, boards and commissions.

Essential Duties: *These job functions are the essential duties of the position and are not all-inclusive of all the duties the incumbent may be assigned.*

The position will primarily represent the City by prosecuting various misdemeanor criminal offenses; initiate prosecutions; prepare cases for prosecution; request warrants; review reports and conduct legal research; prepare court orders, petitions, affidavits, and briefs; try cases; determine and recommend appropriate sentences.

In addition to the above prosecution services, the position may on a temporary or as needed basis perform the following duties: Represent the City and its boards, commissions, and agents in civil and criminal legal proceedings before courts (including City Court, Montana District Court, Montana Supreme Court, Federal Court), administrative agencies and boards, arbitrators, and other administrative agencies; prepare pleadings, conduct legal research, prepare briefs, motions, court orders and other court documents, appear in court, and negotiate with other parties; negotiate, defend or settle legal disputes which may involve significant amounts of City funds.

The position will provide legal advice and opinions to City employees, City Commission, and City boards and commissions on a variety of legal issues; advise staff and officials on the legal requirements and consequences of proposed actions; provide training to City staff and others on current laws and effective enforcement procedures; conduct on-going legal research in connection with legal issues pertaining to the City.

The incumbent will occasionally provide legal services on land use issues including planning, zoning and subdivision review; review plats and certificates of survey for compliance with zoning and subdivision regulations; analyze, review, and draft ordinance, deeds, releases, contracts and other legal documents which bind or obligate the City; provide legal opinions and recommendations to ensure the City is properly and effectively represented in such matters; review rules, regulations, and policies to ensure legal compliance.

The position will participate on a variety of boards and commissions; attend and participate in professional group meetings; stay abreast of new trends and innovations in the field of law as assigned by City Attorney.

The incumbent will respond to and resolve difficult and sensitive citizen inquiries and complaints.

Essential Knowledge, Skills and Abilities Related to this Position:

Knowledge of:

- The organization, functions and goals of City government.
- Operational characteristics, services and activities of a comprehensive municipal law department.
- Judicial procedures and rules of evidence.
- Principles and applications of civil, criminal and administrative law including those relative to municipal operations.
- Methods of legal research and established precedents applicable to municipal activities.

Skill or ability to:

- Represent the City in a wide variety of judicial and administrative proceedings.
- Prepare and present difficult cases in court.
- Present statements of law, fact, and argument clearly and logically.
- Interpret and apply pertinent Federal, State, and local laws, codes, and regulations.
- Make complex decisions.
- Analyze a wide variety of legal issues and prepare diverse legal documents.
- Negotiate agreements, which may accommodate conflicting interests and viewpoints.
- Maintain effective working relationships at all levels.
- Effectively use conflict management.
- Effectively communicate orally and in writing.

Physical Demands:

This position requires the ability to work in a standard office and legal court environments using computer equipment, with ability to travel to different sites and locations. The incumbent must possess the ability to lift and carry up to 10 pounds regularly and on occasion up to 50 pounds. Accommodation may be made for some of these physical demands for otherwise qualified individuals who require and request such accommodation.

Minimum Qualifications (Education, Experience and Training):

This position requires a Juris Doctorate from an accredited law school. The position requires two years of practical experience as a licensed attorney. Experience in criminal law and procedures, local government and land use law is preferred. Other relevant combinations of work experience may be evaluated on an individual basis.

License or Certificate:

Membership in the Montana State Bar and license to practice law in the State and Federal Courts is required.

Must possess a valid driver's license with acceptable driving record at time of hire and have the ability to obtain a valid MT driver's license within six (6) months of hire.

Supervision Received:

The position is supervised by the City Attorney.

Supervision Exercised:

The position may exercise technical and functional supervision over clerical staff.

The specific statements shown in each section of this position description are not intended to be all inclusive. They represent typical elements and criteria considered necessary to perform the job successfully.