

POSITION DESCRIPTION

Class Title: Town Attorney
Department: Administrative Department
Effective Date: May 25, 2023

GENERAL DESCRIPTION AND PURPOSE OF WORK

Serves as the chief legal advisor and head counsel to the Town Council. Provides legal services in all matters related to town operations.

Performs professional and administrative work as it relates to the provision of legal services, including but not limited to legal review, legal document generation, legal representation, court filings and policy guidance.

SUPERVISION RECEIVED

Works under the direction of the Town Council with daily supervision provided by the Town Manager.

SUPERVISION EXERCISED

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Provides legal counsel and services to the Town Council and Town Management. Interacts with and provides assistance to other Town staff as requested by the Town Manager.

Attends Town Council meetings and other meetings as directed by the Town Manager or the Town Council. Meetings may occur outside of normal business hours.

Provides appropriate legal counsel within the council meeting chambers, including but not limited to Parliamentary Procedure, Freedom of Information Act, Conflict of Interest Act and other areas of municipal law related to conducting open and closed meetings.

Drafts ordinances, resolutions, contracts, deeds, leases, releases, franchises and other legal documents on behalf of the Town Council or the Town Manager.

When needed, assists with the preparation of bills for introduction in the Virginia General Assembly. Coordinates with other local government attorneys and regional organizations such as the Virginia Municipal League to represent the town's interest on the state level, when required by the Town Council.

Performs essential court-related functions such as; prosecuting and defending suits, performing court actions and participating in proceedings, litigating claims, and other court related tasks for and on behalf of the Town Council and/or the Town.

Prepares cases for court and/or trial, such as interviewing witnesses, examining law and evidence, and preparing statements. Regularly updates and advises the Town Council on litigation and active cases as it relates to the Town.

Represents the Town in complex trial and appellate litigation.

Researches, interprets, and applies laws, court decisions, and other legal documents in the preparation of opinions and briefs. Remains abreast of case law and has the ability to research case law that impacts town operations and policy.

Analyzes pending local, state and federal legislation affecting the Town and assists the town with preparing for changes in law.

Prepares legal information for dissemination to relevant departments, in particular as it relates to annual or regular Code of Virginia updates. Communicates code changes to various town departments and assists with updates to town codes and policies.

Reviews and provides guidance on contracts, bonds, bids, leases, insurance and claims. Serves the Town's interests in various contract negotiations. Consults with bond counsel on various matters and issuances.

Conducts title searches, certifies titles and handles closings. Ability to navigate real estate law to assist the town with land transactions, and other actions as it relates to transferring title.

Leads the prosecution of code and ordinance offenders as directed by the Town Council or Town Manager.

Renders legal advice on complex matters, including but not limited to; human resources, land use, police powers and municipal law.

Performs other duties as assigned.

DESIRED MINIMUM QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

EDUCATION AND EXPERIENCE

Law degree from an accredited School of Law required. Employment requires licensure by the Virginia State Bar and said licensure must be maintained in good standing at all times as a condition of employment.

Minimum experience of three (3) years working in a municipal law office or as a contractual attorney to a municipality. Specific experience regarding land use is desirable. Must have demonstrable trial experience related to local government and experience in court procedures related to code enforcement and/or prosecuting ordinance violations.

KNOWLEDGE, SKILLS AND ABILITIES

A comprehensive understanding of Virginia law and the legal relationship between municipal government, the Code of Virginia and preemptive state and federal statutes.

Ability to read, analyze, and interpret complex legal documents. Effective communication skills, both orally and in writing. Public speaking and the ability to deliver presentations on controversial or complex topics. Ability to handle complex trial and appellate litigation and demonstrated skill in legal drafting. Good judgement and the ability to maintain confidentiality and emotional intelligence in dealing with sensitive issues.

Ability to define problems, collect data, establish facts and draw valid conclusions. Ability to interpret a variety of instructions and deal with several abstract and concrete variables.

Computer skills required to store, edit and draft documents and prepare presentations. Must be well organized and detail oriented.

SPECIAL REQUIREMENTS

Must be bondable. Must have a state issued driver's license and be capable of driving. Must be accessible by phone outside of normal business hours for emergencies.

TOOLS AND EQUIPMENT USED

Personal computer, office telephone, copier/printer.

PHYSICAL DEMANDS

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

The employee must regularly lift and/or move up to 10 pounds. Specific vision abilities required by this job include ability to adjust focus and ability to read ordinary documents.

WORK ENVIRONMENT

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

The noise level in the work environment is usually moderate. The primary work location is the Town Municipal Building, 150 East Monroe Street, Wytheville, VA. The work conditions are typical of an office environment. Occasional travel may be required for trainings and conferences. Occasional travel to other Town Departments located in the Town of Wytheville.

SELECTION GUIDELINES

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Approval: _____ Approval: _____
Supervisor Appointing Authority

Effective Date: _____
Original Date and Revisions: October 7, 2016, December 2016, May 25, 2023