



# MARIPOSA COUNTY

Human Resources · (209) 742-1379



## **RESOLUTION - ACTION REQUESTED 2018-501**

MEETING: October 16, 2018  
TO: The Board of Supervisors  
FROM: Kimberly Williams, Human Resources Director  
RE: Approve New Classification-Deputy County Counsel

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve the job description of Deputy County Counsel; set the monthly salary range at \$7,954.63-\$9,668.92; assign the position as a Confidential classification; and allocate one full-time position to the County Counsel's office effective immediately.

Currently, the County Counsel's office consists of the sole classification of County Counsel and his staff of one full-time Legal Executive Assistant. This office not only serves the Board of Supervisors, it also provides legal assistance to all County departments. In addition, the County Counsel is responsible for providing legal services to outside agencies that the Board of Supervisors serves on such as the Yosemite Area Regional Transportation System (YARTS), First 5 of Mariposa County, Area 12 Agency on Aging, and the Mariposa County Water Agency.

More and more demands are placed on the County Counsel's office and it is anticipated that the workload will only increase because the office will be overseeing and litigating Public Guardian/Conservator cases and child welfare cases. A Deputy County Counsel will be needed to assist with the growing workload and it is recommended that one full-time allocation is added to this office.

Based on an analysis done by an outside consultant, it showed that the Deputy County Counsel classification is paid somewhat more than the Deputy District Attorney classifications. This analysis consisted of external review of salaries from comparable counties as well as an internal comparison of like classifications. It is, therefore, recommended that the monthly salary range of \$7,954.63-\$9,668.92 is approved.

It is further recommended that the Deputy County Counsel is assigned as a Confidential classification because the incumbent in the position will be privy to labor negotiations.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

During the 2018/2019 fiscal year budget hearings, the Board of Supervisors approved funding for a Deputy County Counsel to provide additional legal assistance to the department.

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**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve this action as recommended. Existing staff will have to manage and oversee the mandates required of the department to the best of their ability.

**FINANCIAL IMPACT:**

**During the 2018/2019 fiscal year budget hearings, monies were approved to add a Deputy County Counsel position.**

**ATTACHMENTS:**

**Deputy County Counsel (PDF)**

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Marshall Long, District III Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Menetrey

**DEPUTY COUNTY COUNSEL**

To provide legal service to the Board of Supervisors and all departments; to handle difficult and complex cases and assignments in the County Counsel's office; and to act for the County Counsel in his or her absence.

**SUPERVISION RECEIVED AND EXERCISED**

Receives administrative direction from the County Counsel and works toward definite objectives that require use of a wide range of procedures. Plans; and/or determines specific procedures or equipment required to meet assigned objectives, and solves non-routine problems. Refers only unusual matters to the supervisor.

This position does not supervise county staff but does provide advice and guidance to other departments.

**EXAMPLES OF ESSENTIAL FUNCTIONS**

Provides general and case specific advice in juvenile dependency matters; reviews and revises petitions, reports and orders after hearing; makes court appearances.

Reviews contracts, ordinances, resolutions and other legal documents for legal sufficiency; prepares same for the County Counsel as requested.

Researches and prepares legal opinions.

Oversees and participates in litigation pertaining to Public Guardian/Public Conservator cases; reviews and revises petitions, reports and orders; and makes court appearances.

Performs general administrative work, including conducting and attending meetings and preparing correspondence.

Appears before courts and at administrative proceedings to represent the County's interests.

Reviews and interprets current legislation and litigation relevant to County services and/or administration.

Represents the County in court in potentially dangerous dog cases; performs associated work with each case; reviews and analyzes Sheriff's reports and documents as well as court documents; makes court appearances.

Advises the Board of Supervisors in County Counsel's absence on all matters pertaining to County operations.

**EMPLOYMENT STANDARDS**

**Knowledge of:**

Principles and application of civil, constitutional and administrative law.

Applicable Federal, State, and local laws, codes, and regulations.

Legal research methods.

Trial and hearing procedures.

Rules of evidence.

Current principles and practices of public law.

Techniques for providing a high level of customer service by effectively dealing with the public and staff.

**Ability to:**

Learn the duties, powers, limitations, and authorities of the office of the County Counsel.

Research, analyze and apply legal principles, facts, evidence and precedents to legal problems.

Prepare and present cases of law in court.

Present statements of law, fact, and argument clearly and logically in written and oral form.

Analyze and draft ordinances, resolutions, contracts and other legal documents.

Deal courteously and communicate effectively with a variety of individuals in the course of work.

Analyze, interpret, apply, and enforce applicable Federal, State and local policies, procedures, codes, laws and regulations.

Identify problems, research and analyze relevant information.

Develop and present recommendations and justification for proposed solutions.

Prepare clear and concise reports, correspondence, procedures, and other written materials.

Maintain accurate files and records.

Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner.

Organize own work, set priorities and meet critical time deadlines.

Complete multiple priority projects with conflicting deadlines.

Makes presentations to the Board of Supervisors and other groups.

Maintain confidential information in accordance with legal standards and/or County regulations.

Be organized, accountable, friendly, ethical, and professional at all times.

**TYPICAL WORKING CONDITIONS**

Work is typically performed in a normal office environment and/or a court room.

**TYPICAL PHYSICAL REQUIREMENTS**

Requires the ability to sit at a desk for long periods of time and intermittently walk, stand, stoop, kneel, crouch and reach while performing office duties. Must be able to maintain effective audio-visual discrimination and perception needed for communicating with others, reading and writing. Must be able to use a telephone to communicate verbally and a keyboard to communicate through written means, to review information and enter/retrieve data, to see and read characters on a computer screen. Must be able to frequently lift and carry objects weighing up to ten pounds.

**MINIMUM QUALIFICATIONS**

**Experience:**

Three years of increasingly responsible experience in the practice of law.

**Education:**

Graduation from an accredited school of law.

**Additional Requirements:**

Current membership in the State Bar of California.

Possession of a valid California driver's license. Under certain circumstances, the Human Resources Director may accept a valid driver's license from another State if applicant acknowledges his/her intent to acquire a California driver's license within three months by signing an acknowledgement form.

**This class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbents may be expected to perform job-related duties other than those contained in this document.**