

GENERAL COUNSEL 1

TYPE AND LEVEL OF WORK

This class is the first of three classes performing executive management level legal work that includes the practice of law in multiple areas of specialization with significant complexity. Under general direction, directs legal work for several related areas of law. Positions in this classification make recommendations on appropriate legal action based on existing laws, policies, and practices.

Incumbent is expected to make decisions related to legal matters and issues with delegation for decision-making from the agency head. The incumbent is given overall objectives and must determine how and when those objectives will be achieved within the current legal framework, operating plan, and managerial direction, so that best practice in legal activities and results are achieved.

Legal issues typically require adaptation or development of new solutions and require research, analysis, and ability to identify solutions. The incumbent must consider alternatives and the impact of each outcome and consider whether new legal policies or procedures can be developed and implemented. Issues typically impact medium to large segments of the agency. Performs related work as required.

At this level, the incumbent may act as the agency's primary legal Counsel or serve as a Deputy/Assistant General Counsel.

Positions allocated to any class within the General Counsel series must have the ability to perform the following:

- Claim privilege over communications and work product.
- Bind agency and legal documents, such as settlement agreements in judicial proceedings.
- Litigate and/or give privileged legal advice.

DISTINGUISHING CHARACTERISTICS

This classification directs legal work for multiple, broadly related areas of law that must be integrated and coordinated in order to analyze and address legal issues. Positions in the General Counsel 1 classification make recommendations on appropriate legal action rather than serving as the primary decision-maker.

Positions at this level may not be able to allocate duties due to limited staff. Incumbent will be the primary “doer” of research, responding, information provision, etc. Performs full cycle of duties within a limited scope. (Breadth vs. Depth).

EXAMPLES OF WORK (A position may not include all the work examples given, nor does the list include all that may be assigned. These examples are provided to help distinguish work among classes in the series. See Class Spec Guidebook for comprehensive information.)

Present options to department leadership on appropriate litigation strategies.

Apprise leadership of changes in law and proposed changes in law to ensure appropriate actions are taken.

Review contracts to ensure their compliance with state and federal laws and rules and regulations.

Serve as key legal advisor to the agency’s legislative director by assisting in drafting, providing analysis of, and advocacy towards proposed legislation.

Consult the statutes, case law, past enforcement cases, etc. to determine best legal advisement to leadership.

Provide legal guidance and direction to agency employees in the development, review, drafting, editing and consistent implementation of agency opinions, interpretations, orders, determinations, decisions, settlement agreements, guidelines, training, policies, procedures and other official activities.

Provide consultation on the legal aspect of the department’s legislative activities by working with program units to identify needs for legislation and perform related duties through the full legislative cycle. Assist with effective implementation of enacted legislation.

Assist the Chief General Counsel in coordinating and supervising legal work throughout the Department.

Collaborate with other Department staff concerning implementation of and compliance with Department legal policies.

Establish plans, priorities, and processes necessary to meet the legal objectives of the agency in rulemaking, litigation, appeals, policy, and the provision of legal guidance of risk exposure for regulatory authority through management of attorneys and other legal staff.

KNOWLEDGE, SKILLS AND ABILITIES REQUIRED

Knowledge of:

A thorough foundation in the principles and practice of law sufficient to provide expert legal advice and counsel to agency leadership and stakeholders.

Skill in:

Analysis, diagnosis and resolution for interrelated workflow, systems, facilities, and state policies and procedures.

Setting annual goals that efficiently support the agency's objectives and the service to the citizens of Minnesota who are affected by the agency's actions and policies.

Ability to:

Critique and evaluate the work of advanced professional staff involved in legal matters.

Ability to manage a comprehensive legal services program and to set personal and unit priorities in accordance with goals and initiatives of the Agency.

Apply deep knowledge in specialized, broadly related areas of law that apply to multiple agency functions.

Determine whether new legal processes and procedures need to be developed to address agency need.

LEGAL OR LICENSURE REQUIREMENTS

(These must be met by all employees prior to attaining permanent status in the class.)

Juris Doctorate and Licensed to practice law in the State of Minnesota.

Est.: 2022 TC:

Rev.: Former Title(s):