

MAJOR FUNCTION

This is responsible professional legal work providing legal services to the City. Duties include working as a member of a specific legal team that performs the complex responsibilities of general legal counsel for the City, including the rendering of legal advice and assistance to the City Commission, City Manager, City Treasurer-Clerk, City Auditor, and department directors of the City, and acting as a legal advisor to the Police Chief. An incumbent may represent the City in Federal and State courts. Other duties include researching legal questions, preparing resolutions, issuing briefs and legal documents and rendering legal opinions. Work is performed under the direction of a Senior Assistant City Attorney and is reviewed through conferences, inspection of documents, and evaluation of results obtained, except for the police legal advisor. The police legal advisor performs work under the direction of the City Attorney and Police Chief and is reviewed jointly through conferences, inspection of documents, and evaluation of results obtained.

ESSENTIAL AND OTHER IMPORTANT JOB DUTIES**Essential Duties**

Works independently on assignments in accordance with specific legal team designation. Prepares and presents cases on behalf of the City in civil law suits and administrative hearings in Federal, State or local courts. Performs legal research and prepares opinions on various legal problems for City departments. Prepares, drafts, reviews, revises and approves complex contracts, deeds, leases, and other legal documents and instruments for various City departments; reviews such documents and renders opinions as to their legal acceptability. Investigates serious claims and complaints by or against the City government; recommends action to be taken; prepares and tries cases for damage and other suits and hearings; represents the City in such hearings. Negotiates terms and conditions of complex contracts and agreements. Prepares proposed ordinances and makes recommendations to repeal, amend or revise existing ordinances. May review or coordinate the work and activities of professional and clerical employees. Represents the City in litigation. Advises department directors and employees on legal questions. Participates in the preparation of state and federal cases for trial, takes depositions, prepares briefs and pleadings, and supervises necessary investigations. May serve as a legal advisor to the Police Department on a 24-hour per day basis. Responds, as required, in person to scenes of police-related shootings, civil disorders, hostage, and barricaded subject incidents. May participate in command level planning regarding special projects. May aid in the preparation of arrest warrants, search warrants, and electronic intercept orders. May participate as directed in the field in searches and large-scale enforcement actions. Maintains liaison with the offices of the State Attorney, U. S. Attorney, other police legal advisors, state and national, and professional organizations, and attorneys retained by the City in civil suits. Performs related work as required.

Police Legal Advisor: Serve as a legal advisor to the Police Department on a 24-hour per day basis. Responds, as required, in person to scenes of police-related shootings, civil disorders, hostage, and barricaded subject incidents. Plans, develops, and conducts training and advises law enforcement personnel on subjects related to civil and criminal law including search and seizure and other department policies and program legal issues. May participate in command level planning regarding special projects. May aid in the preparation of arrest warrants, search warrants, and electronic intercept orders. May participate as directed in the field in searches and large-scale enforcement actions. Maintains liaison with the offices of the State Attorney, U. S. Attorney, other police legal advisors; state, national, and professional organizations; and attorneys retained by the City in civil suits. Represents the City on all forfeiture legal matters. Serves as legal counsel for Code Enforcement staff on code enforcement and animal control issues and matters. Researches and makes recommendations on legal questions referred by the Chief of Police and other Police personnel. Renders legal evaluations of specific cases to section or division head. Provides legal

advice to officers investigating cases or making arrests. Observes department field procedures and operations to assure compliance with legal requirements. Responds to any field situation concerning the use of deadly force by or against any member of the Police Department which results in death or great bodily harm/injury, or any on- or off-duty vehicle accidents involving police personnel operating department vehicles which result in death or serious injury. Reviews cases and claims against the Police Department. Coordinates document requests from in-house and outside counsel attorneys representing the City. Coordinates the release of all Police Department records, facilitates release of property and evidence and vehicle forfeiture cases. Monitors and advises the Chief of current court decisions and legislation affecting the operations, practices, and policies of the department. Attends all meetings of the Chief's staff to advise them on legal issues and relevant legislation and court decisions. Reviews existing and proposed departmental contracts, policies and procedures, orders, manuals, programs, and training bulletins to determine legal sufficiency. Upon request, reviews the curriculum of the Training Academy and advises the Director on the legal aspects of the training program. Lectures on appropriate subjects to Training Academy classes. Occasionally litigates Police Department cases in the state and federal courts that are not covered by Risk Management. This includes conducting all discovery relevant to the case. Acts as liaison with the City and/or State Attorney and courts to establish appropriate legal directives in the event of a riot, civil disturbance, disorder, or unlawful assembly.

Other Important Duties

Attends City Commission and board meetings as assigned. May develop and present training lectures and programs on various aspects of police procedures for departmental use (arrests, search, seizure, investigation, civil liability, use of force, etc.) Performs related work as required.

DESIRABLE QUALIFICATIONS

Knowledge, Abilities and Skills

Considerable knowledge of municipal, county, state, federal, common law, and constitutional laws affecting the City government. Considerable knowledge of judicial procedures and rules of evidence. Considerable knowledge of City ordinances and charter provisions relating to the authority and functions of City departments. Considerable knowledge of established precedents and sources of legal reference applicable to municipal activities. Knowledge of civil laws and judicial procedures related to contraband forfeiture and police civil liability. Knowledge of criminal laws and judicial procedures. Ability to prepare civil law cases. Ability to analyze and prepare a variety of legal documents. Ability to conduct research on legal problems and to prepare legal opinions. Ability to express ideas clearly and concisely, both orally and in writing. Ability to establish and maintain effective working relationships as necessitated by the work. Skill in the use of microcomputers and the programs and applications necessary for successful job performance.

Minimum Training and Experience

Graduation from an accredited college of law with four years of professional paid legal experience, three years of which must have been in government law or areas of law relating to or involving government law issues.

Police Legal Advisor: Graduation from an accredited college of law with four years of professional paid legal experience, three years of which must have been in the criminal justice system as a prosecutor, public defender, or police officer.

Necessary Special Requirements

Membership in the Florida Bar at the time of application.

Possession of a valid Class E State driver's license.

Police Legal Advisor: Membership in the Florida Bar at the time of application. Possession of a valid Class E State driver's license. Passage of a full Tallahassee Police Department background check, including a computer voice stress analyzer (CVSA) and/or polygraph examination.

Prohibition

Shall not be permitted to practice law except on behalf of the City, or engage in any other gainful employment without the express consent of the City Attorney.

Police Legal Advisor: Shall not be permitted to practice law except on behalf of the City, or engage in any other gainful employment without the express consent of the City Attorney and the Police Chief.

Established 07-06-92
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