

**POSITION DESCRIPTION
CITY ATTORNEY**

Job Description:

Perform a wide range of professional duties involved in providing a full scope 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 misdemeanor criminal cases in City Court; develop and review legal documents; to advise City departments, staff, boards and commissions; to monitor and oversee all civil litigation where City is defendant; to investigate, prepare and prosecute and/or defend all civil actions in City Court; to investigate, evaluate and advise City whether to prosecute a case in District Court as plaintiff; and to determine when the City needs to hire specialized outside counsel.

Essential Prosecutorial Duties and Responsibilities:

1. Represent the City by prosecuting various misdemeanor criminal offenses and ordinance violations in City Court; initiate and 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.
2. Performs legal functions related to the investigation of felony, misdemeanor, juvenile delinquency, conservation and other types of cases. This includes, but is not limited to, being available at all hours of all days of the week to the Red Lodge Police Department ("RLPD") for advising in investigations and to secure search warrants.
3. Review police reports to determine criminal charges for arrest and non-arrest cases, secure additional information from law enforcement personnel when required. Advise RLPD to conduct follow-up investigations.
4. Formulate trial strategy, determine sentence recommendations, conduct plea negotiations, investigate case data and research applicable case law.
5. Secure and interview witnesses to ascertain facts of case. Secure expert testimony, prepare witnesses for trial, assemble case files, attend pre-trial hearings and respond to prepare all pre-trial and post-trial motions in City Court.
6. Communicate information on case status to all involved parties, including defense attorneys, police officials and victims.
7. Provide assistance as requested by County Attorney ("CA") for investigations and prosecution of felony cases by CA.
8. Attend seminars on Local, State and National level to secure continuing legal education as required by Supreme Court of Montana.

Essential Duties and Responsibilities for Civil Matters:

1. Serve as legal advisor for all of City's Elected Officials, Departments, Boards and Commissions.
2. Prepare and/or review legal documents on behalf of City and its Boards and Commissions.
3. Provide legal representation in contract negotiations on behalf of City and its Boards and Commissions.

4. Prepare formal opinion letters when requested by City or its Boards and Commissions.
5. Investigate, prepare and prosecute all civil actions in City Court on behalf of City and its Boards and Commissions.
6. Monitor and provide assistance to outside legal counsel where City is a defendant in federal court or Montana District Court.
7. Attend all City Council meetings and City Council Committee meetings as requested by the Mayor of Red Lodge.
8. Attend Board and Commission meetings as requested by the Mayor of Red Lodge.
9. Determine and recommend when City requires outside legal counsel to provide specialized legal representation. (For example, where City has a creditor claim in a bankruptcy case, City would need to hire bankruptcy counsel to represent its interest.)
10. Evaluate and determine when City should initiate a civil action as plaintiff in a federal or state court.

Minimum Legal Qualifications:

Graduate of an accredited law school and a member in good standing of the Montana State Bar and admitted to practice in the United States District Court for District of Montana.

Legal Experience:

A minimum of two (2) years of experience as a criminal prosecutor and five (5) years of experience in civil practice. Experience as a civil litigation attorney or in land-use law preferred.

Knowledge, Skills and Abilities:

1. Working knowledge of civil law as it pertains to a municipal entity.
2. Skilled in preparing briefs and other legal documents.
3. Ability to prepare and analyze comprehensive legal documents, including, but not limited to, civil contracts.
4. Ability to carry out assigned projects to their completion.
5. Ability to establish and maintain effective working relationships with employees, city officials, the court system, and the general public.
6. Ability to efficiently and effectively represent the City in all legal proceedings.
7. Ability to work effectively with a wide range of persons, including, but not limited to situations in which individuals may be upset, angry, or emotionally distraught.
8. Able to work independently.
9. Communicate effectively with others, both orally and in writing, using appropriate language.
10. Good legal problem-solving skills with an emphasis on strategy and tactical planning.
11. Ability and experience managing other legal professionals.
12. Ability and experience formulating budgets and knowing how to manage within the requirements of a budget.