



City of South Bend

Vacancy Announcement

Post Date: Friday, December 2, 2016

Closing Date: Until Filled

## **COUNCIL ATTORNEY**

**Category:** Independent Contractor

**Department:** Common Council

**Reports To:** Council President or Designee

**Schedule:** Schedule is subject to vary based on operational needs. Must be present at all Council and Committee meetings.

**Position** **SUMMARY**

The City of South Bend Common Council is seeking a highly qualified individual or law firm to provide professional legal representation to the Common Council as an entity, including legislative counsel services and general counsel services.

Pursuant to Section 2-7.2(b) of the *South Bend Municipal Code* - The Council Attorney shall be responsible to see that all ordinances and resolutions requested by Council Members are drafted; shall review all proposed ordinances and resolutions as to form and legality; shall advise the Office of the City Clerk as to all matters regarding publication and codification of ordinances; and shall give legal advice as requested by the Common Council, its committees and its members. (Ord. No. 6114-77, § 1; Ord. No. 7929-88, § 1)

### **SUPERVISION EXERCISED**

As pertains to the Standard Operating Procedure and Job Description of the Legislative Research Assistant/Paralegal.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES**

This list represents the types of duties required by the position. Other duties may be assigned as reasonably expected.

- Working with the Common Council, the Office of the City Clerk, and members of the City Administration to help foster better networking of information between the legislative and administrative branches of city government.
- Being the Parliamentarian of the Common Council on issues of procedure at general and special meetings of the Council and rendering legal advice as requested by members of the Council consistent with the Indiana state law and provisions of *South Bend Municipal Code* § 2-7.2.
- Drafting ordinances, resolutions, letters, Presidential Proclamations, Council Proclamations, public comments, press releases, PowerPoint presentations, and other documents when requested by Council Members, along with supporting documentation.
- Providing written and verbal legal opinions, legal memorandums and legal assistance and guidance based on the applicable law and facts.
- Conducting research on topics under Common Council review and analyzing the materials for

discussion.

- Drafting requested legislation so that the requesting Council Member may respond to constituent inquiries in the most informed manner as possible in a timely fashion.
- Reviewing proposed ordinances and resolutions as to form and legality consistent with the provisions of the *South Bend Municipal Code § 2-7.2*.
- Communicating with the requesting Council Members for the purpose of assisting him or her to carrying out their legislative duties efficiently. Contacts are made in person, at their Council offices, private offices, and also by telephone, facsimile and email.
- Attending regular and special meetings of the Common Council, its eleven (11) Standing Committees, any advisory committee meetings, etc., in order to provide legal assistance on topics under review.
- Contacting the appropriate municipal, state, and/or federal offices/officers upon the request of a Council Member with regard to Council project(s).
- Addressing inquiries from attorneys and other representatives who have items pending before the Council.
- Working with the Chief Deputy City Clerk and the Deputy City Clerk on the Wednesday filing deadline days and proposing draft Standing Committee meeting schedules for the following Monday Council meeting for review by the Council President.
- Addressing inquiries from other departments including tax abatements, zoning, vacations of public property, and ordinance requirements.
- Reviewing and signing all Memorandums of Agreement which are in compliance as required under the tax abatement ordinances.
- Advising the Office of the City Clerk as to matters regarding publication and codification of ordinances consistent with the provisions of the *South Bend Municipal Code § 2-7.2*
- Preparing and submitting an annual Council Attorney report summarizing legal services rendered on behalf of the Common Council.

#### **QUALIFICATIONS**

To perform this position successfully, an individual or a representative(s) of a law firm must be able to perform each essential duty in a satisfactory manner. The requirements listed below 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/OR EXPERIENCE**

- Must have a Juris Doctorate Degree from an approved law school.
- Must be licensed to practice law in the State of Indiana.
- Must maintain a Certificate of Good Standing as an attorney as issued by the Supreme Court of Indiana.
- Must have municipal law experience of at least five to ten (5-10) years.

#### **KNOWLEDGE, SKILLS AND ABILITIES PREFERRED**

- Ability to communicate clearly and concisely, both verbally and in writing.
- Ability to establish and maintain cooperative working relationships.
- Ability to work in a collaborative team environment, but with the ability to work independently.

#### **CERTIFICATES, LICENSES, REGISTRATIONS**

- Indiana Bar Admission.

**ADDITIONAL REQUIREMENTS**

- As an independent contractor, the Council Attorney shall be responsible for the payment of any and all taxes, including but not limited to federal, state and local income taxes, LOIT, FICA, FUTA, etc.
- Council Attorney shall be responsible for payment of all professional legal malpractice insurance premiums.
- Council Attorney shall comply with all applicable continuing legal education requirements.

**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.

While performing the duties of this job, the employee is frequently required to sit and walk, and talk or hear. The employee is occasionally required to walk; use hands to fingers, handle or feel objects, tools or controls; and reach with hands and arms. The employee must occasionally lift and/or move up to 15 pounds. Specific vision abilities required in this job include vision and the ability to adjust focus.

**WORK ENVIRONMENT**

Work is performed in office settings, with moderate inside temperatures. The noise level in the work environment is usually quiet to moderate. Entire office is smoke free.

**EQUAL OPPORTUNITY EMPLOYER**

All qualified applicants will receive consideration for employment without regards to age, race, color, religion, sex, disability, veteran's status, national origin, genetic information, or sexual orientation. Reasonable accommodations for persons with a known disabling condition will be considered in accordance with State and Federal Law.

**TO APPLY**

All applications for currently posted positions will be submitted online at [www.southbendin.gov/jobs](http://www.southbendin.gov/jobs) or at the application kiosk located at the City of South Bend Office of Human Resources, 227 W. Jefferson Blvd., 12th Floor, South Bend, IN 46601.