



Montana Association of Counties

Serving Montana Counties Since 1909

2715 SKYWAY DRIVE, SUITE A, HELENA, MT 59602

(406) 449-4360 Fax (406) 442-5238

www.mtcounties.org

POSITION DESCRIPTION

Position Title	Managing Defense Counsel
Department/Division	MACo County Litigation Group
FTE Status	Full Time
FLSA Designation	Exempt
Reports to	MACo Executive Director
Supervision Exercised	Defense Counsel and Legal Support Staff

POSITION SUMMARY

This position manages the County Litigation Group, including administrative oversight of civil litigation defense counsel and staff. This position also maintains a caseload of claims filed against member counties and is responsible for personnel and budgetary management. This position has extensive contacts with MACo staff, MACo members, attorneys, and others associated with the judicial system.

ESSENTIAL FUNCTIONS

These duties are the essential functions and are not all-inclusive of all duties that the incumbent performs.

- Maintain a caseload regarding claims filed against member counties and other covered entities, which includes handling assigned cases from inception through trial, settlement or dismissal;
- Provide information to claims staff in relation to the establishment of claims, and status of reserves in claims and litigation involving entities covered by MACo Property and Casualty Trust (PC).
- Supervise and manage assigned staff to achieve objectives and ensure compliance with all applicable policies and regulations. This includes participating in hiring, training/orienting, determining the duties of subordinate positions, maintaining performance standards, approving expenditures; approving schedules and leave, and relaying performance information to the Executive Director.
- Provide expertise and guidance to the MACo PCT Board of Trustees for decisions regarding settlement of large claims;
- Provide or arrange post-litigation training to covered entities, their officers, and employees as required by settlement agreements.
- Travel as needed for attendance at meetings and the defense of covered claims.
- Prepare department annual budget, monitor budget and expense control;
- Respond to member questions, comments, and/or concerns regarding litigation files in a courteous and timely manner;
- Communicate and coordinate with other departments as necessary to maximize the efficiency and effectiveness of operations and activities;

- Keep immediate supervisor and designated others fully and accurately informed concerning work progress in prominent areas including present and potential work problems, and offer suggestions for new or improved ways of addressing such problems;
- Attend meetings, conferences, workshops, and training sessions;
- Provide instruction to support staff concerning how to perform certain work tasks as needed and appropriate;
- Review publications and educational materials in assigned area to remain current on the principles, practices, and new developments in all applicable areas;
- Perform other directly related duties consistent with the role and function of the classification.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of litigation in federal and state courts and administrative agencies relevant to claims covered by MACo PCT, including preparation of pleadings, discovery, settlement negotiation and mediation, pre- and post-trial motions, trial practice, and appellate procedure.
- Knowledge of current principles and practices for management of legal staff and caseload management.
- General knowledge of current principles and practices associated with public entity risk sharing pools including, but not limited to, claims investigation, adjustment, and related practices of property and casualty insurance. Some knowledge of workers compensation practices is preferred.
- Knowledge of MACo activities and county government operations;
- Ability to review complex situations and interpret, apply, and explain applicable laws, policies and administrative rules;
- Ability to administer a law office and to supervise attorneys and administrative support legal staff;
- Ability to maintain confidentiality of sensitive documents and information that may be viewed and/or encountered in the normal course of work;
- Ability to establish and maintain effective working relationships with employees, department heads, elected officials, and the public;
- Ability to use good judgment and discretion when providing information and dealing with members, staff, and the public;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to handle stressful situations in a way that is beneficial to the clients, the Association and its members;
- Ability to effectively neutralize situations in which an individual may be displeased and reacting in a negative, confrontational, or potentially hostile manner;
- Ability to understand and follow oral and/or written instructions, policies, and procedures;
- Ability to apply integrity, ingenuity, inventiveness, and to use logical and creative thought processes to develop solutions to complex problems in the performance of assigned tasks;
- Ability to operate general office equipment, including a computer, using standard or customized applications to perform assigned tasks;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;

- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability and willingness to learn quickly and put new skills and knowledge brought about by rapidly changing information and/or technology to use.

REQUIRED EDUCATION AND EXPERIENCE

- Law degree from an accredited law school; and
- Seven to ten years of experience in practicing civil law, including comprehensive human resource functions for local governments; and
- Supervisory experience preferred; or
- Any equivalent combination of experience and training which provides the knowledge, skills, and abilities necessary to perform the work.

REQUIRED SPECIAL QUALIFICATIONS

- Licensed by the State of Montana to practice law.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS

MACo is an equal opportunity employer.

MACo shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

- May involve frequent travel to meet with member counties.

FLSA DESIGNATION STATEMENT

This position is exempt as it meets the duties tests to be considered exempt as a professional employee engaged in the practice of law.

This position description is intended to reflect core areas of responsibility and an incumbent employees' knowledge and skill set needed to complete those functions. This document is not intended to catalogue each individual duty. Employees are routinely called upon to address emerging member requirements in alignment with individual work units and assignments of positions. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer change.