

CITY OF HUNTINGTON BEACH

CLASS SPECIFICATION



TITLE: SENIOR TRIAL COUNSEL

**PERSONNEL COMMISSION APPROVAL:
COUNCIL APPROVAL:**

**APRIL 21, 2021 (*Revised*)
DECEMBER 19, 2016**

**JOB CODE:
EMPLOYMENT STATUS:
UNIT REPRESENTATION:
FLSA STATUS:
EEOC CODE:**

**0333
REGULAR FULL-TIME
MEO
EXEMPT
PROFESSIONALS**

JOB SUMMARY

Under the direction of the City Attorney, leads the City's trial and litigation efforts in all civil lawsuits, either for prosecution of or in the defense, on behalf of the City of Huntington Beach. Works with other attorneys who are litigating cases on behalf of the City.

SUPERVISION RECEIVED

Reports to: City Attorney and the Chief Assistant City Attorney

DISTINGUISHING CHARACTERISTICS

Differs from other attorney classes in the City Attorney's Office in that the Senior Trial Counsel focuses on litigation activity and trying cases in court.

EXAMPLES OF ESSENTIAL DUTIES

- Handles litigation in State and Federal courts and administrative tribunals, including preparing pleadings, motions, and discovery documents, taking depositions, arguing motions, attending conferences and hearings, and trying cases before juries, court, and administrative hearing officers;
- Advises the City Attorney and the City Council, as appropriate, concerning litigation to which the City is a party including litigation assigned to outside counsel by the City Attorney;
- Provides direction, supervision, and oversight to all other attorneys in the City Attorney's office who are working on, or are assigned to, litigating lawsuits;
- Manages and oversees, daily litigation activities, including court calendars, document management, case management, and legal support staff training regarding litigation protocol and procedure;
- Controls and manages City expenditures for outside counsel as assigned by the City Attorney;
- Advises the City Attorney concerning changes in law or practice that may affect City liability;
- Conducts, supervises, or arranges for investigations related to assigned casework;
- Confers with City department representatives to provide advice and counsel on prosecution laws and ordinances affecting their work; researches legal issues and provides legal opinions and advice; prepares legal reports and opinions; consults and confers with other attorneys, court officials, and law enforcement agency in the preparation and trial of assigned casework;
- Researches, analyzes, and interprets existing laws, court decisions, pending legislation and other legal authorities;
- Assists in the coordination of special projects and teams related to area of assignment;
- Assists in the development and implementation of department goals, objectives, policies, procedures and work standards related to area of assignment;

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- Represents the City in meetings where litigation matters are discussed with various boards and committees as assigned by the City Attorney;
- Maintains effective and extensive professional relationships with legal representatives of other local, state and federal agencies;
- Reports to work as scheduled, works a variety of schedules including evenings, weekends, and/or holidays as required;
- Performs other such legal duties as may be required by the City Attorney.

The preceding duties have been provided as examples of the essential types of work performed by positions within this job classification. The City, at its discretion, may add, modify, change or rescind work assignments as needed.

MINIMUM QUALIFICATIONS

Any combination of education, training, and experience that would likely provide the knowledge, skills, and abilities to successfully perform in the position is qualifying. A typical combination includes:

Knowledge of:

- Trial practice and preparation
- Jury selection (voir dire)
- California Evidence Code
- Preparing and arguing Motions in Limine before trial
- Effective selection and retention of trial experts
- Effective direct and cross examination
- Principles, practices and procedures of contract, tort, public entity, government tort, personal injury, employment, and other areas of civil law
- Principles of judicial and trial procedures and rules of evidence
- Principles and practices of constitutional, civil and administrative law and procedures
- Superior and Federal court systems and proceedings and administrative procedures necessary to try cases in State and Federal courts and before a wide range of administrative boards
- Litigation management and strategies
- California civil and Appellate procedures
- Federal and state laws, Penal Codes, City Charter and Municipal Codes, and Municipal Zoning Codes
- Organization, function, and legal limitations on the authority, enforcement and procedural issues of various City departments
- Federal and state constitutional and statutory provisions related to municipalities
- Accepted legal principles and court decisions

Ability to:

- Take direction and supervision from the City Attorney and Chief Assistant City Attorney
- Direct and supervise other attorneys working on litigation
- Try to completion jury and bench trials
- Select a jury
- Prepare witnesses for depositions and trial, prepare experts to testify at trial

CITY OF HUNTINGTON BEACH

CLASS SPECIFICATION



TITLE: SENIOR TRIAL COUNSEL

- Conduct direct and cross examination of witnesses at trial
- Prepare written discovery and responses to written discovery
- Prepare a variety of motions, including Motions for Summary Judgment
- Research, analyze and apply legal principles, facts evidence and precedents to legal cases
- Represent the City effectively and persuasively in courts and administrative hearings
- Analyze, appraise, and organize facts, evidence, and precedents and present them in oral and written reports
- Consistently prepare and present statements of law, fact and argument clearly, logically and persuasively both orally and in writing
- Litigate cases, manage litigation processes, and oversee the work of others who are trying cases
- Review, discuss, and advise the City Attorney, City Council and City Manager regarding legal policy issues
- Exhibit a high degree of integrity and sound judgment in the performance of assigned work tasks
- Work cooperatively with other employees, customers, clients, and the public
- Produce documents written in the English language using proper sentence structure, punctuation, grammar, and spelling
- Maintain confidentiality of sensitive information
- Oversee the work of other legal and paraprofessional staff
- Communicate orally with customers, clients, and the public using a telephone and in group and face-to-face, one-to-one settings

Education: Graduation from a law school accredited by the American Bar Association with a Juris Doctorate degree.

Experience: Minimum of five (5) years increasingly responsible experience in the litigation and trying of cases in the State of California with a minimum of taking lead role in five (5) jury and three (3) bench trials to verdict in Superior Court. Admission to practice in the State and Federal jurisdictional courts.

License/Certification: Active membership in the State Bar of California.

Possession of a valid California Class C driver license with an acceptable driving record by time of appointment and throughout period of employment required.

SPECIAL CONDITIONS

Employees regularly assigned/required to drive a city or personal vehicle in the course and scope of work shall be required to participate in the DMV Employer Pull Notice program.

Public Employee Disaster Service Worker: In accordance with Government Code Section 3100, all Huntington Beach city employees are required to perform assigned disaster service worker duties in the event of an emergency or a disaster.

PHYSICAL TASKS AND ENVIRONMENTAL CONDITIONS

Incumbents must be able to meet the physical requirements of the class and have mobility, balance,

CITY OF HUNTINGTON BEACH

CLASS SPECIFICATION



TITLE: SENIOR TRIAL COUNSEL

coordination, vision, hearing and dexterity levels appropriate to the duties to be performed.

Work involves detailed concentration for long periods of time in a modified office environment and sitting for extended periods. The incumbent must be able to meet the physical requirements of the class and have mobility, balance, coordination, vision, hearing and dexterity levels appropriate to the duties to be performed. Work is primarily performed indoors. In an office environment, the work requires sitting at a desk or table for prolonged periods of time and daily use of a computer, keyboard, mouse and screen. The incumbent uses a computer and related equipment and sits, stands, walks, climbs, pushes, pulls, reaches, grasps, lifts and moves tools and equipment weighing 25 pounds or less.

Reasonable accommodation(s) for an individual with a qualified disability will be considered on a case-by-case basis.

Est. 12/19/16 MW

Rev. 3/5/21 PA