STATE OF MONTANA
JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Job Title: Legal Counsel to the Office of the Commissioner of Political Practices
Position Number: 32200010 Location: Helena, Montana

Department: Commissioner of Political Practices Division and Bureau: Section and Unit:

Prior Job Descriptions: This is the first job description for this position. The Commissioner's office has not been staffed by an attorney since the mid 1980s.

Job Overview: This position is that of legal counsel to the Office of the Commissioner of Political Practices of the State of Montana (Office).

Essential Functions (Major Duties or Responsibilities):

The major duties of this job are as follows:

1. **45%.** Direct general counsel responsibility, under the supervision of the Commissioner, for development, implementation and representation (including at the Legislature) of the legal policy positions taken by the Office, including those positions stated through administrative regulations, Decisions or interpretative opinions. The general counsel will review and comment on all decisions or interpretations issued by the Commissioner if the Commissioner is an attorney. If the Commissioner is not an attorney then general counsel will draft the legal analysis portion of Decisions or interpretations.
2. **40%.** Direct litigation responsibility, under supervision of the Commissioner, for enforcement of Decisions. Enforcement can be by settlement (payment of fine) or by adjudication in the Courts. Direct responsibility, under supervision of the Commissioner, to represent the Office in all legal matters, including ethics hearings, not handled by the Attorney General.
3. **10%.** Draft, circulate, conduct hearings and publish, all in conformance with MAPA requirements, administrative regulations as needed by Office.
4. **5%.** Special tasks as assigned by the Commissioner.

Supervision

The number of employees supervised is zero.

Physical and Environmental Demands: The job is a skilled labor job performed primarily at a desk and has no unusual physical or environmental demands.

Knowledge, Skills and Abilities: The job requires a thorough understanding of Montana's intricate campaign finance laws as well as a practical understanding of the relationship between Montana's election administrators, candidates and the Commissioner's office. The job requires the ability to appear in a courtroom, legislative hearing and a press conference.

Minimum Qualifications (Education and Experience): The person in this position must be a licensed Montana attorney. The minimum qualifications are a juris doctor or comparable degree from an accredited institution of legal education and a license as a Montana attorney. Experience in litigation is desireable.

Special Requirements:

List any other special required information for this position

- ☐ Fingerprint check
- ☐ Background check
- Safety Information
- ☐ Valid driver's license
- ☐ Other; Describe

The specific statements shown in each section of this description are not intended to be all inclusive. They represent typical elements and criteria considered necessary to perform the job successfully.

Signatures

My signature below indicates the statements in the job description are accurate and complete.

	Commissioner	9-17-2013
Immediate Supervisor	**Title**	**Date**
Administrative Review	**Title**	**Date**

My signature below indicates that I have read this job description.

	Legal Counsel	9/17/13
Employee	**Title**	**Date**

Human Resources Review

Job Code Title: **Job Code Number:** **Pay Band:**

My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

☐ FLSA Exempt ☐ FLSA Non-Exempt

☐ Telework Available ☐ Telework Not Available

☐ Classification Complete ☐ Organizational Chart attached

Union Code

Human Resources:

Signature **Title** **Date**