



New Mexico State Personnel Office

2600 Cerrillos Road
Santa Fe, New Mexico 87505-0127

Classification Description

GENERAL COUNSEL

Class Title	Class Code	Pay Band	Alt Pay Band*
General Counsel I	X61111	90	
General Counsel II	X61112	95	

**In accordance with SPB Rule 1.7.4.10 NMAC, the assignment to alternative pay bands shall be reviewed annually to determine their appropriateness.*

Occupation Description

Serves as the highest classified, managerial attorney for a department and provides the highest level of direct professional legal services for state agencies in litigation, counsel, interpretation of law, research, analysis, mediation and administrative hearings. Devotes a substantial portion of time assigning and directly supervising work of at least three (3) attorneys and is supervised by a General Counsel (II) or agency head.

General Counsel I

Nature of Work

The General Counsel I devotes a substantial portion of time assigning and directly supervising work of at least three (3) attorneys (with at least one of those attorneys being an Attorney IV or an Attorney Supervisor). As advocate, they speak for their clients, agency or department in court by presenting supportive evidence. As adviser, they counsel their clients, agency or department on their legal rights and obligations. Under the supervision of a General Counsel II or agency head, performs advanced level legal work and supervisory duties over attorneys and support staff. Oversees legal projects assigned to subordinates.

Distinguishing Characteristics of Levels

Examples of work are intended to be cumulative for each progressively higher level of work. The omission of specific statements does not preclude management from assigning other duties which are reasonably within the scope of the duties.

- The General Counsel I is differentiated from the Supervisory Attorney by the number of subordinate attorneys supervised and by the complexity and sensitivity of legal matters within its sphere of influence.
- Interviews and selects applicants and conducts training of subordinate personnel.
- Directs and supervises subordinate attorneys and oversees the preparation of litigation on the most complex/sensitive cases; reviews case documentation, determines legal position and strategy; initiates legal documentation, conducts interviews, obtains and organizes evidence, and prepares witnesses to testify.
- Conducts or leads negotiations and mediations, including alternative dispute resolutions, and/or arbitration of the most complex and sensitive cases and legal issues with judicial officials, federal/state agencies, opposing counsel, and other parties to reach agreements or settlements thereby resolving major civil cases or administrative proceedings.

GENERAL COUNSEL

- Directs or performs very complex legal research and analysis of law, legal precedents, and issues for complex cases, appeals, lawsuits, interstate issues, water rights, or another specific area of law as an expert.
- Studies and analyzes changes in laws and court decisions in their area of expertise to determine, anticipate, evaluate, and assess agency/client impact. Provides subordinate staff with training related to their study and analysis.
- Directs the drafting, review, and preparation of the most critical proposed legislation, reports, legal documents and correspondence for an agency or client in their assigned area of expertise.
- Represents, or directs the representation of, the state or client in federal and state court and administrative hearings in litigation of the most complex and sensitive cases requiring expert knowledge in a specific body of law, such as, interstate, water rights, and environmental.
- Consults with top level management, staff, agencies, and the private sector to obtain and provide legal information or determine legal strategy on issues, cases, and problems.

Recommended Education and Experience for Full Performance*

Current license as an Attorney issued by the Supreme Court of New Mexico or will sit for and pass the next available State Bar exam and ten (10) years of government regulatory experience in natural resources, oil and gas, mining and minerals, water law, advising boards and commissions, and/or regulatory enforcement.

Minimum Qualifications

Current license as an Attorney issued by the Supreme Court of New Mexico or will sit for and pass the next available State Bar exam and eight (8) years of government regulatory experience in natural resources, oil and gas, mining and minerals, water law, advising boards and commissions, and/or regulatory enforcement.

General Counsel II

Nature of Work

The General Counsel II devotes a substantial portion of time assigning and directly managing an agencies legal department. The General Counsel II serves as the highest authority, related to legal interpretation, within an agency and provides direct counsel to members of an agencies' executive team.

Distinguishing Characteristics of Levels

Examples of work are intended to be cumulative for each progressively higher level of work. The omission of specific statements does not preclude management from assigning other duties which are reasonably within the scope of the duties.

- The General Counsel II is differentiated from the General Counsel I by the size of agency requiring its skill set, by the complexity and sensitivity of legal matters within its sphere of influence and by the managerial breadth of the position.
- Interviews and selects applicants and conducts training of subordinate personnel.
- Directs and supervises subordinate attorneys and oversees the preparation of litigation on the most complex/sensitive cases; reviews case documentation, determines legal position and strategy; initiates legal documentation, conducts interviews, obtains and organizes evidence, and prepares witnesses to testify.
- Conducts or leads negotiations and mediations, including alternative dispute resolutions, and/or arbitration of the most complex and sensitive cases and legal issues with judicial officials, federal/state agencies, opposing counsel, and other parties to reach agreements or

GENERAL COUNSEL

settlements thereby resolving major civil cases or administrative proceedings.

- Directs or performs very complex legal research and analysis of law, legal precedents, and issues for complex cases, appeals, lawsuits, interstate issues, water rights, or another specific area of law as an expert.
- Studies and analyzes changes in laws and court decisions in their area of expertise to determine, anticipate, evaluate, and assess agency/client impact. Provides subordinate staff with training related to their study and analysis.
- Directs the drafting, review, and preparation of the most critical proposed legislation, reports, legal documents and correspondence for an agency or client in their assigned area of expertise.
- Represents, or directs the representation of, the state or client in federal and state court and administrative hearings in litigation of the most complex and sensitive cases requiring expert knowledge in a specific body of law, such as, interstate, water rights, and environmental.
- Consults with top level management, staff, agencies, and the private sector to obtain and provide legal information or determine legal strategy on issues, cases, and problems.

Recommended Education and Experience for Full Performance*

Current license as an Attorney issued by the Supreme Court of New Mexico or will sit for and pass the next available State Bar exam and twelve (12) years of government regulatory experience in natural resources, oil and gas, mining and minerals, water law, advising boards and commissions, and/or regulatory enforcement.

Minimum Qualifications

Current license as an Attorney issued by the Supreme Court of New Mexico or will sit for and pass the next available State Bar exam and ten (10) years of government regulatory experience in natural resources, oil and gas, mining and minerals, water law, advising boards and commissions, and/or regulatory enforcement.

Knowledge and Skills

*Note: This information has been produced by compiling information and documentation provided by O*NET. O*NET™ is a trademark of the U.S. Department of Labor, Employment and Training Administration.*

Knowledge

Law and Government — Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, agency rules, and the democratic political process.

English Language — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.

Customer and Personal Service — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.

Administration and Management — Knowledge of business and management principles involved in strategic planning, resource allocation, human resources modeling, leadership technique, production methods, and coordination of people and resources.

Clerical — Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, stenography and transcription, designing forms, and other office procedures and terminology.

GENERAL COUNSEL

Computers and Electronics — Knowledge of circuit boards, processors, chips, electronic equipment, and computer hardware and software, including applications and programming.

Personnel and Human Resources — Knowledge of principles and procedures for personnel recruitment, selection, training, compensation and benefits, labor relations and negotiation, and personnel information systems.

Economics and Accounting — Knowledge of economic and accounting principles and practices, the financial markets, banking and the analysis and reporting of financial data.

Skills

Active Listening — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.

Speaking — Talking to others to convey information effectively.

Critical Thinking — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

Reading Comprehension — Understanding written sentences and paragraphs in work related documents.

Complex Problem Solving — Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.

Judgment and Decision Making — Considering the relative costs and benefits of potential actions to choose the most appropriate one.

Writing — Communicating effectively in writing as appropriate for the needs of the audience.

Negotiation — Bringing others together and trying to reconcile differences.

Persuasion — Persuading others to change their minds or behavior.

Active Learning — Understanding the implications of new information for both current and future problem-solving and decision-making.

Statutory Requirements: Licensed as an attorney by the Supreme Court of New Mexico which requires graduation from an accredited school of law, **OR** licensure (in good standing) in another state and sitting for and passing the next available State Bar exam (NMSA 1978, Section 36-2-27 and Rule 16-505 NMRA).

Conditions of Employment: Working Conditions for individual positions in this classification will vary based on each *agency's utilization, essential functions, and the recruitment needs* at the time a vacancy is posted. All requirements are subject to possible modification to reasonably accommodate individuals with disabilities.

Default FLSA Status: Exempt.

Bargaining Unit: This position is not covered by a Collective Bargaining Agreement.

Established: 03/26/2014

Revised:

Note: Classification description subject to change. Please refer to the SPO website www.spo.state.nm.us to ensure this represents the most current copy of the description.