



## CITY OF OAKLAND EMPLOYMENT OPPORTUNITY

### DEPUTY CITY ATTORNEY II or III General and Complex Litigation Division / Community Lawyering and Civil Rights Unit

**Deputy City Attorney II:** \$130,179.24 to \$159,848.40 annually

**Deputy City Attorney III:** \$143,528.28 to \$176,232.22 annually

(salary based upon experience)

**Benefits:** Health, dental, vision, pension, potential long-term telecommuting opportunities, and other competitive benefits (see more here:

<https://www.oaklandca.gov/resources/enroll-in-employee-benefits>)

**Location:** Oakland, CA (presently fully remote, remote status dependent on pandemic conditions)

**Recruitment Opens:** **September 8, 2021**

**Deadline to Apply:** Open until filled

## THE POSITION

The Office of the City Attorney (OCA) seeks a well-qualified individual, as described below, for a Deputy City Attorney (DCA) II or III position in the General and Complex Litigation Division, Community Lawyering and Civil Rights Unit, of the Office of the City Attorney. Litigation experience is required for this position.

The ideal candidate for this position will have experience in affirmative litigation, such as civil rights, consumer, workers' rights, environmental justice, and/or racial justice cases. Desirable knowledge and experience include a background in: litigation, including complex civil cases in state and/or federal court, writs, and appeals; policy work, including drafting proposed local legislation; community engagement, including working in coalition with nonprofits and community groups; and administrative procedure, including administrative remedies and rule-making. The DCA will work with other litigators and with advice and labor and employment attorneys in the Office.

The position is currently assigned to the Community Lawyering & Civil Rights Unit of the General and Complex Litigation Division. The DCA may be supervised on different projects by a Deputy City Attorney V, Special Counsel, Chief Assistant City Attorney and/or the City Attorney. The City Attorney may assign the selected attorney to new, additional or different duties or practice areas in litigation, advice, or transactional work.

Attorneys in this diverse and exciting Office frequently work collaboratively with other attorneys and other City Departments on a wide variety of issues, and DCAs in the Community Lawyering and Civil Rights Unit work frequently with other City Attorney and County Counsel offices around the Bay Area, throughout California, and across the country.

### **Description:**

The General and Complex Litigation Division includes three affirmative litigation units: (1) the Neighborhood Law Corps (NLC), (2) the Community Lawyering & Civil Rights Unit (CLCR); and (3) the Housing Justice Initiative (HJI).

CLCR is OCA's affirmative impact litigation unit. CLCR is dedicated to intentionally seeking and providing enforcement justice, and takes on bold cases and campaigns focused on issues that disproportionately affect historically marginalized Oaklanders with presently or previously limited access to justice. To that end, the unit has initiated, joined, or co-counseled large cases against major corporate bad actors (e.g., fossil fuel companies, pharmaceutical companies, lead paint manufacturers, major lenders). CLCR has also engaged in responsive rights violations work, including leading or joining lawsuits against federal agencies (e.g., against the Department of Commerce about the Census, against the Departments of Justice and Homeland Security about federal agents' overreach in 2020) and local bad actors (e.g., local business public health order violators), and leading or joining numerous related amicus briefs. Finally, the unit has engaged in other forms of advocacy, including issuing subregulatory local guidance on civil rights and health and safety issues, and proposing proactive local legislation to protect populations most at risk during the pandemic. Going forward, the Unit will continue to litigate and initiate lawsuits and other actions to protect and advance the rights and interests of Oakland residents with the goals of addressing discrimination and securing racial, economic, environmental, and social justice.

This position requires handling a civil litigation caseload which includes, but is not limited to, case evaluation, conducting large-scale investigations, drafting complaints, engaging in motions practice, arguing motions, propounding and responding to discovery, taking and defending depositions, preparing for judicial proceedings (including settlement conferences, trials, and in appellate courts), and engaging in post-judgment or post-settlement compliance monitoring. The position may also require leading administrative enforcement of local ordinances, collaborating on or leading the drafting of ordinances and resolutions, developing strategies to engage local civil society partners, and working closely with attorneys in a variety of public law offices.

### **The City Attorney's Office:**

The City Attorney's Office provides counsel to the City Council, Mayor, City Administrator, and City boards and commissions, various City-wide task forces and City agencies and departments. Incumbents perform a variety of professional legal duties involving civil municipal law issues. The City Attorney is also empowered by state law to bring certain actions on behalf of the People of the State of California.

### **Detailed Job Description:**

#### **Duties may include, but are not limited to, the following:**

- Participating in or leading affirmative litigation (including case evaluation, conducting investigations, drafting complaints, engaging in motions practice, arguing motions, propounding and responding to discovery, taking and defending depositions, preparing for judicial proceedings (including settlement conferences, trials, and in appellate courts), and engaging in post-judgment or post-settlement compliance monitoring);
- Communicating with, including as witnesses, City staff, community members, and stakeholders, in an intentional and trauma-informed manner, including across lines of difference;
- Participating in or leading administrative hearings, including citation appeals, administrative writs, and traditional writs;
- Working closely with City administrators, elected officials, and agency and department executives to develop or enforce City laws and policies;
- Developing or assisting in the development of local legislation to further the Unit's, Office's, and City's priorities, which may also include reviewing staff reports and writing City Council

- reports;
- Creating or developing constructive, collaborative relationships with civil society groups;
  - Working with other attorneys in the Office and in partner offices on various matters;
  - Being a key player in cultivating a strong, thoughtful, cooperative, and dynamic team;
  - Exercising sound judgment;
  - Clearly explaining legal advice to attorneys and lay people; and
  - Attendance at some evening and late-night meetings.

### **MINIMUM REQUIREMENTS FOR APPLICATION**

Any combination of experience and education that likely would provide the required knowledge and abilities will qualify an applicant for the position. A typical way to obtain the knowledge and abilities would be:

#### **Experience:**

- DCA II: Two years of increasingly responsible work experience comparable to a Deputy City Attorney I in the City of Oakland.
- DCA III: Two years of increasingly responsible work experience comparable to a Deputy City Attorney II position in the City of Oakland.

#### **Education:**

- Graduate of accredited school of law.

#### **License or Certificate:**

- A member in good standing of the California State Bar.
- DCAs in this position are required to maintain a valid California Driver's License during City employment or demonstrate the ability to travel to required locations in a timely manner, to the extent feasible depending on disability-related accommodations.

#### **Ability to:**

- Investigate and litigate all aspects of a complex civil case in state and/or federal court (and, at minimum, demonstrated experience at the time of application in several key aspects of complex civil litigation);
- Negotiate and draft settlement agreements;
- Interpret and apply various government codes and ordinances;
- Conduct research on legal problems to prepare sound legal documents, including in litigation and in other contexts (e.g., legal opinions);
- Analyze and prepare a wide variety of legal documents, with demonstrated excellence in legal writing;
- Present cases in court and in administrative proceedings;
- Handle stressful and sensitive situations with tact and diplomacy, including across the spectrum of diversity;
- Provide professional leadership, guidance, and technical expertise to the Office and to City staff;
- Work independently and as part of a close-knit team;
- Form or work with a multidisciplinary team and/or with partners of different backgrounds;
- Manage multiple demanding programs, cases, and projects with competing deadlines;
- Communicate effectively and persuasively in both oral and written form with City officials,

- representatives of outside agencies and the public, and in litigation;
- Complete varied assignments in a well-organized fashion and with attention to detail within a narrow time frame;
  - Establish and maintain effective working relationships with a wide variety of audiences;
  - Inspire confidence and respect for legal analysis and advice; and
  - Skillfully and professionally present legal advice to clients, including elected and high-level appointed officials.

**Other Desirable Skills:**

- Language skills, especially in Spanish, Cantonese, and/or Mandarin;
- Working knowledge of municipal, state and federal laws, ordinances and codes affecting City government;
- Expert knowledge of and experience in federal and state court, administrative agency procedures, and municipal government law and procedures; and
- Litigation experience that is transferable.

**HOW TO APPLY**

Submit a completed City of Oakland employment application, current résumé and the attached supplemental questionnaire by email to:

[Civilrights@oaklandcityattorney.org](mailto:Civilrights@oaklandcityattorney.org)

This job announcement and additional employment information including the application form is available on-line at: [www.oaklandcityattorney.org](http://www.oaklandcityattorney.org)

**Final Filing Date: Open Until Filled**

**The City of Oakland is an Equal Opportunity / ADA employer**

**Supplemental Questionnaire  
Deputy City Attorney II or III  
Community Lawyering and Civil Rights Unit**

**Recruitment Opened: September 8, 2021  
Deadline: Open until Filled**

The purpose of this supplemental questionnaire is to assess your qualifications, training and experience in specific job-related areas. Your answers to these questions, along with your completed application will be used to select the most suitably qualified candidates. Applications submitted without a completed supplemental questionnaire will not be considered. Respond to each question fully, describing your specific experience and accomplishments. Responses must be legible and typewritten responses are preferred.

1. Describe your most complex litigation or administrative action experience, including any writ, trial preparation and trial and appellate experience, and the outcome of the case(s).
2. Describe the three most complex writs, motions and appeals that you have drafted and/or argued. What were the outcomes of the proceedings?
3. Describe your experience, if any, in the areas of civil rights, consumer, workers' rights, environmental justice, and/or racial justice cases, including trial preparation and trial experience, and the outcome of the case(s).
4. If you have not handled writs, motions or appeals, or litigation independently, describe your experience and the skills and experience that would demonstrate your aptitude, interest, and ability to handle motions, writs, appeals, lawsuits, etc.
5. Please describe your interest in this area of law and in this particular position.
6. Attach at least two writing samples that you prepared (that would be samples of any of the experiences described in Question 2, or other examples of your writing).

**CERTIFICATION OF APPLICANT**

I understand that all information provided herein is subject to verification, and is true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_