



NON-SWORN MEMBER VACANCY

The Kansas City Missouri Police Department employment practices are designed to hire, promote, and assign members without discrimination on the basis of race, color, national origin, limited English proficiency, sex, sexual orientation, gender identity, age, religion, disability, or low-income level.

DATE: March 7, 2023

JOB VACANCY MEMORANDUM NO. 23-03

TITLE: General Counsel

ELEMENT OF ASSIGNMENT: Office of General Counsel/Chief's Office

PAY RANGE: 25

STARTING MONTHLY SALARY: \$8,432

VACANCY STATUS: Vacant

EXPIRATION DATE: March 28, 2023

REQUIREMENTS:

To provide legal representation, guidance and resolution on unique issues of critical importance to the Board of Police Commissioners, the Kansas City Missouri Police Department, the Chief of Police and Executive Command Staff, and other Department members.

This position requires objectivity, broad discretion and professional judgment, is high stress, often includes time constraints, and requires regular mandatory work on holidays and beyond a 40-hour week including working outside of Monday through Friday work days.

This position requires the ability to handle a variety of issues simultaneously and the highest of organizational skills.

Issues presented are unique in nature, span a wide variety of subject matters, and involve creative and innovative analysis and reasoning to reach appropriate conclusions.

The experience and ability to engage in vigorous adversarial situations is important. At the same time, this position is higher-profile and must serve the Board, Department, and citizens of Kansas City with professionalism, honor and integrity.

Essential Job Functions: (Functions essential to attaining job objectives.)

1. Supervise all members sworn and non-sworn who are assigned to the Office of the General Counsel.
2. Litigate matters on behalf of the Department and the Board, to include open records lawsuits, civil rights and employment lawsuits, expunged and replevin actions in state court and interpleaders. Write and argue appellate briefs in connection with such litigation when required.
3. Represent the Chief of Police at Board of Police Commissioners' disciplinary action hearings, trials, and court appearances.
4. Provide legal counsel, both verbally and by written legal opinion, to the Chief of Police, Executive Command staff, and the Board on both law enforcement and non-law enforcement issues.
5. Prepare legal documents and maintains disposition of cases handled; involves gathering facts, and reviewing investigation reports and files.
6. Represent the Board, Department and Department members in, and respond to, investigations arising from charges filed by employees and former employees and others with the Equal Employment Opportunity Commission, the Missouri Commission on Human Rights, the U.S. Department of Labor, the U.S. Department of Justice, the Missouri Department of Employment Security and other administrative forums.
7. Provide legal counsel to sworn and non-sworn members on both law enforcement and non-law enforcement issues.
8. Serve as liaison between the Department, the Office of the City Attorney, the Office of the Attorney General, and the City Prosecutor.
9. Determine when and which outside counsel will be retained by the Board and Department for purposes of litigation to ensure the Board and Department's interests are appropriately represented. This includes issuing and monitoring of the Department's RFP for Legal Services on a bi-annual basis, drafting or approving of retention letters, examination and authorization for payment of invoices, and regular communication with the Department's outside counsel and strict monitoring of litigation by private outside counsel and the Office of the Attorney General. Provide updates on a quarterly basis to the Board and Chief of Police.
10. Write proposed legislation for introduction in state legislature or local legislative bodies.
11. Review proposed state and city legislation prior to enactment to determine impact on Department; once enacted review and interpret Department's rights and obligations under legislation; explain and disseminate to personnel as necessary.
12. Review all contracts, memoranda of understanding, mutual aid agreements, task force agreements, grant applications and grant acceptance documents that are executed on behalf of the Board of Police Commissioners and the Department.
13. Evaluate, respond and contest, if necessary, requests for documents, whether received through subpoena, request for production or Sunshine Law request.
14. Perform preventive legal work, to include advising with regard to risk management issues for the Board and Department. This includes, but is not limited to, keeping apprised of investigations and legal actions undertaken in the region and nationwide by the U.S. Department of Justice, as well as the Department's Motor Vehicular Accident Program disbursements and collections.

15. Maintain currency with case law and statutes; review and approve department policies and procedures; provide and coordinate dissemination of legal information, including Legal Bulletins and Monthly Case Summary Memoranda; and formulate innovative solutions to unusually complex and unique legal problems.
16. Provide legal training to recruits, sworn members and non-sworn members as needed. Provide training at other functions including but not limited to the Citizens' Police Academy.
17. Attend and present in open or closed sessions, as needed, at monthly Board meetings as well as special Board meetings.
18. Attend and provide advice and counsel at monthly Executive Committee meetings and other meetings, internal and external, as necessary.
19. Maintain reliable and predictable attendance. Must have the ability to work flexible hours, more than a 40+ hour work/week, on-call, weekends and holidays.
20. Perform related duties as required.
21. This class specification should not be interpreted as all inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA) as amended by the Amendments Act of 2008 (ADAAA); and the Missouri Human Rights Act (MHRA).

Job Standards: (Minimum qualifications needed to perform essential functions.)

The incumbent may not be a member of a Department labor organization, nor is this position covered by any Collective Bargaining Unit.

1. To successfully perform the essential functions of this position, the incumbent must possess:
 - a. Juris Doctorate degree from an accredited law school.
 - b. Membership in good standing in the Missouri Bar.
 - c. Valid licensure as a practicing, full-time attorney for a minimum of 10 years, with at least 5 years of that experience occurring in the State of Missouri. The years of experience ideally include a preferred emphasis in one or more of the following subject-matter areas: Employment, personnel or labor law; constitutional law and civil rights; contracts; litigation; workers' compensation; Sunshine Law and records retention and management.
 - d. Experience preparing and trying civil law cases before municipal, state, and federal courts and/or administrative bodies.
 - e. Must be available to work during regular duty work hours and off-duty hours to respond to questions from sworn and non-sworn members and/or respond to critical incidents, i.e. police action resulting in death or serious injury, and other events with potential for liability to the police department.
 - f. Must be available to attend as a representative of the Department on-duty and off-duty meetings, conferences, events, hearings, and community functions.

- g. Must possess a valid Missouri Driver License.
- h. Experience supervising other attorneys or legal office support staff preferred.
- i. Membership and involvement in the International Association of Chiefs' of Police (IACP) and the IACP Legal Officers' Section preferred. Membership and involvement in other organizations relevant to the position and/or community engagement preferred.

2. The incumbent is prohibited from performing outside legal services for remuneration.

Physical Requirements: Must have the ability to lift, carry and transport files, up to and including full 'banker size' boxes (up to 25 lbs.).

Job Location: (Place where work is performed.)

Position operates in a standard office environment most of the time. Position also operates at police related incident scenes, community events, and in court.

Equipment: (Machines, devices, tools, etc., used in job performance.)

- Computers
- Telephone/Cellular phone
- Police communication equipment
- Vehicle
- Copier/Scanner/Fax Machine

All department members interested in being interviewed for the above position must submit a copy of their Request for Transfer, Form 4 P.D. to the Human Resources Division (HRD). The original Request for Transfer form must be submitted through the member's chain of command for endorsement and upon completion, forwarded to the HRD. In addition, another copy of the Request for Transfer, resume and a completed Selection Process Candidate Review Form, Form 417 P.D. (with chain of command endorsements) must be submitted directly to **Attorney, Jenny Atterbury** by no later than **MARCH 28, 2023**.

Outside applicants interested in being considered for the position must submit a cover letter and resume to Mindy.Davis@kcpd.org, to be received no later than **MARCH 28, 2023**.

All members must obtain a residence within 30 statute (air) miles of the nearest Kansas City, Missouri city limit during the full term of their employment with the Department.

<https://kcpd.maps.arcgis.com/apps/instant/lookup/index.html?appid=2e0311b882d84e6cb8ed17fc15539761>

Selected applicants who meet all of the qualifications will be contacted individually to schedule an interview. Selected applicants must submit to a CVSA, MMPI, post-offer physical examination and routine drug screen.

Captain Edward Lampert
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Commander, Employment Unit