

**OFFICE OF THE ATTORNEY GENERAL
COMMONWEALTH OF VIRGINIA
POSITION DESCRIPTION**

PART I: ORGANIZATIONAL INFORMATION

Name: O'Leary, Patrick

Date:

Class Title: SAAG/University Counsel

Position No.: UN042

Working Title if Different: N/A

Agency: OAG

Work Location and Location Code: Lexington/VMI

Agency Code: 141

Title and Position Number of Immediate Supervisor: SAAG/Section Chief OAG00125

Organizational Unit: Education/HESS

PART II: POSITION INFORMATION

This position serves as agency counsel for Virginia Military Institute (VMI). Serving as agency counsel requires advising decision-makers throughout the organization on the legal risks and obligations associated with their duties as employees or board members. Agency counsel may also represent the agency in state or federal court, before regulatory bodies, and to third parties in pre-litigation and transactional matters. This position also is responsible for the operations and management of the VMI Office of University Counsel.

Work Tasks and Duties:

Understand institutional mission and structure to understand and identify factual context in which legal issues arise. Identify, to the extent applicable, any legal limitations on policy decisions or operational actions proposed by client. Establish relationships with clients to foster well-informed decision-making. Counsel agency leadership on mitigation of legal risks associated with the operation of institutional programs. Conduct research to provide cogent legal analysis and stay abreast of developments in the law. Provide written advice and recommendations, typically by e-mail or through informal memoranda. Triage and prioritize requests for assistance to accommodate institutional needs and resource constraints. Advise governing board on policy-setting and compliance matters. Represent the institution in defending and resolving complaints filed in state or federal court or before regulatory bodies. Recommend and negotiate settlement of disputes in accordance with OAG procedures. Review and revise drafts of institutional policies and contracts prior to execution, as requested by client. Advise institutional leadership on personnel matters. Provide training and advice on legal compliance matters such as FOIA, COIA, FERPA, GDCDPA, the Public Records Act, Title IX, ADA, procurement processes and other laws applicable to state educational entities. Advise institutional decision-makers tasked with conducting student disciplinary processes. Advise campus safety personnel, including campus police and institution's threat assessment team, on policy development, statistical reporting and incident response. Review and comment on draft regulations and advise on compliance with the Administrative Process Act. Advise on real estate transactions and review and approve as to form deeds and related documents. Recommend use of outside counsel as appropriate and administer contracts in accordance with OAG procedures. Participate in OAG bill review process as assigned.

Contribute to OAG opinions process as assigned.
 Share expertise with attorneys in the Education Section and throughout the OAG as requested.
 Manage office budget.

Professional Contacts:

Persons or Organizations	Purpose	How Often	Inside/Outside Virginia Government
Board of Visitors/BOV Liaison	Provide legal advice	Frequent	Inside
President/Office of the President	Provide legal advice	Frequent	Inside
VPs/AVPs and their staff	Provide legal advice	Frequent	Inside
Deans, Department Heads, Faculty	Provide legal advice	Moderate	Inside
Regulatory Agencies	Defense of University	As needed	Inside (state) or outside (federal)
Parties (and/or their counsel) having transactional or other business with VMI.	Representation of University	As needed	Outside
Counsel representing parties adverse or potentially adverse to VMI.	Defense of University	As needed.	Outside

PART III: QUALIFICATIONS

Required Knowledge, Skills, and Abilities:

Knowledge of the law related to public institutions of higher education/Virginia state agencies/state educational agencies/public museums developed through academic training, seminars, and legal experience in the specialty area.

Knowledge of fundamental subjects in law including employment law, public procurement and contracting, FOIA, FERPA, Title IX, constitutional rights, intellectual property, data management, and real estate.

Knowledge of legal research procedures.

Knowledge of the preparation of briefs and presentation of arguments for cases before state and federal agencies and courts.

Knowledge of the practices and procedures of the Office of the Attorney General.

Ability to communicate effectively, both verbally and in writing.

Ability to use judgment, tact, and discretion.

Ability to quickly assimilate oral and written data, to analyze facts, and draw logical conclusions.

Ability to express legal interpretations or conclusions of law clearly and logically in oral and written form.

Ability to maintain records and prepare reports and correspondence related to the work.

Ability to organize work, establish priorities, and maintain good interpersonal relations and communications with other attorneys and support staff as well as effective working relationships with government officials,

vendors and the general public.

Ability to coordinate and function as a lead attorney or counsel.

Ability to provide direction to other attorneys.

Ability to spot potential barriers and identify resolutions to legal concerns.

Ability to identify and analyze issues and problems in management and human relations and to recommend and implement solutions.

Skills of persuasion, consensus building and conflict resolution.

Computer literacy.

Special licenses, registration, or certification: Membership in the Virginia State Bar

PART IV: SIGNATURE LINES

We understand the above statements, and they are complete to the best of our knowledge.

_____	Date _____
Employee's Signature	
_____	Date _____
Supervisor's Signature	

Essential Job Requirements (Indicate by each E = Essential, M = marginal, or N/A)

Physical Demands and Activities:

<u>M</u>	Light lifting	<20 lbs.	Standing	<u>NA</u>	Sitting	<u>NA</u>	Bending	<u>NA</u>
<u>NA</u>	Moderate lifting	20-50 lbs.	Lifting	<u>NA</u>	Walking	<u>NA</u>	Climbing	<u>N/A</u>
<u>NA</u>	Heavy lifting	>50 lbs.	Reaching	<u>NA</u>			Repetitive motion	<u>M</u>
<u>NA</u>	Pushing/pulling		Other					

Emotional Demands:

<u>E</u>	Fast pace	<u>E</u>	Avg. pace
<u>E</u>	Multiple priorities		
<u>E</u>	Intense customer interaction		
<u>E</u>	Multiple stimuli		
<u>E</u>	Frequent change		

Mental/Sensory Demands:

Memory	<u>E</u>	Reasoning	<u>E</u>	Hearing	<u>E</u>
Reading	<u>E</u>	Analyzing	<u>E</u>	Logic	<u>E</u>
				Verbal communication	<u>E</u>
				Written communication	<u>E</u>
Other	<u>N/A</u>				