



CALDWELL COUNTY

Job Description

Job Title: Commissioners Court Legal Counsel

Department: Commissioners Court

FLSA Status: Exempt

Location: Caldwell County

Prepared by: Human Resources Dept.

*Applications will be accepted until the position is filled.

*Please return job application to Caldwell County Judge Haden, 1st floor Caldwell County Courthouse, Address: 110 S. Main Street Room 103, Lockhart, TX, 78644

SUMMARY

The Commissioners Court Legal Counsel serves as the principal in-house legal advisor to the Caldwell County Commissioners Court on legal, administrative, transactional, and policy matters within the Court's authority. The position provides timely legal guidance, reduces avoidable legal risk, supports lawful and efficient county operations, and coordinates specialized or litigation counsel when authorized.

POSITION BOUNDARY.

This is an appointed staff position and does not create or occupy the constitutional or statutory office of County Attorney. The position does not exercise prosecutorial authority and may not interfere with, replace, or assume duties assigned by law to the Caldwell County Criminal District Attorney or another elected official.

SUPERVISION RECEIVED

By the Caldwell County Commissioners Court as a collective body.

REPRESENTATION AND REPORTING RELATIONSHIP

- The legal client is Caldwell County, acting through the Commissioners Court within the scope of the Court's legal authority. The attorney does not represent an individual member of Commissioners Court in a personal capacity.
- The attorney reports to Commissioners Court as a body. Administrative direction may be routed through the County Judge or another Court-authorized designee, but no individual official may direct the attorney to take action that requires approval of Commissioners Court.
- The attorney must exercise independent professional judgment and comply with the Texas Disciplinary Rules of Professional Conduct, including duties involving confidentiality, conflicts of interest, and representation of an organizational client.
- Appointment, compensation, evaluation, discipline, and separation are governed by formal action of Commissioners Court, applicable law, and adopted County personnel policies.

ESSENTIAL DUTIES

LEGAL ADVICE TO COMMISSIONERS COURT

- Advise Commissioners Court, the County Judge, and Court-authorized staff on civil legal matters involving county business.
- Research and issue oral or written legal opinions concerning the Court's constitutional and statutory authority, proposed actions, and compliance obligations.
- Attend regular, special, and emergency meetings of Commissioners Court as requested; identify legal issues and advise on procedure, authority, and risk.

- Provide advice to individual Court members only in their official capacities, when consistent with representation of the County and free of conflicts.

CONTRACTS PROCUREMENT AND PUBLIC PROJECTS

- Draft, review, and negotiate contracts, interlocal agreements, memoranda of understanding, professional services agreements, leases, easements, licenses, and other instruments presented for County approval.
- Advise on competitive procurement, exemptions, cooperative purchasing, change orders, contract remedies, insurance, bonds, indemnity, public works, prevailing requirements, and vendor disputes.
- Support road, facility, capital improvement, technology, emergency services, and other public projects from planning through closeout.
- Confirm that final contracts and amendments are submitted through the County's approval, purchasing, budget, and records processes.

GOVERNANCE OPEN GOVERNMENT AND POLICY

- Review proposed orders, resolutions, policies, agenda language, notices, hearing materials, and other actions for legal sufficiency.
- Advise on the Texas Open Meetings Act, Public Information Act, records retention, ethics, conflicts, nepotism, disclosure, and other transparency requirements.
- Assist departments with legally compliant procedures while preserving the authority and operational independence of elected officials.
- Provide training to Commissioners Court and County personnel on legal requirements affecting county operations.

BUDGET FINANCE GRANTS AND ECONOMIC DEVELOPMENT

- Review economic development agreements, tax abatements, reinvestment zones, incentives, development agreements, and related performance or compliance provisions.
- Coordinate with the County Auditor, Treasurer, Purchasing Agent, grant staff, financial advisors, bond counsel, and other professionals on legally significant matters.

REAL PROPERTY AND LAND USE

- Draft and review documents for the acquisition, sale, lease, exchange, or use of real property, including letters of intent, contracts, deeds, easements, access agreements, and closing documents.
- Advise on subdivisions, roads, rights of way, drainage, fire code administration, development regulations, and other land-use matters within County authority.
- Coordinate title, survey, appraisal, environmental, engineering, broker, and outside legal services as authorized.

CLAIMS DISPUTES AND OUTSIDE COUNSEL

- Assess claims, demand letters, administrative complaints, contract disputes, and threatened litigation; preserve deadlines and evidence and recommend a response.
- Coordinate with insurers, risk pools, and outside counsel. Monitor scope, budget, strategy, deadlines, invoices, and status reporting for matters assigned by Commissioners Court.
- Represent the County in civil or administrative matters only when authorized and legally appropriate, and only when doing so does not intrude upon duties assigned by law to another public official.
- Recommend when specialized outside counsel is needed and assist Commissioners Court with defining the engagement and evaluating performance.

EMPLOYMENT AND ORGANIZATIONAL SUPPORT

- Advise Commissioners Court and departments under its supervision on personnel policies, workplace investigations, discipline, grievances, accommodations, wage and hour requirements, and employment agreements.
- Coordinate with human resources, department leadership, insurers, and outside employment counsel while respecting the independent personnel authority of other elected officials.
- Develop legal templates, review procedures, matter tracking, and preventive-law practices that improve consistency and response time.

LIMITATIONS ON AUTHORITY

- The position has no criminal, juvenile, civil-enforcement, or prosecutorial authority unless a specific duty is lawfully assigned and accepted without conflict with the Criminal District Attorney's statutory responsibilities.
- The position may not appear as counsel in a matter reserved by law to the Criminal District Attorney, Attorney General, or another official unless the representation is authorized by applicable law and the appropriate officials.
- The position may not bind the County, approve expenditures, settle claims, waive rights, or retain outside counsel without authority granted by Commissioners Court or other applicable law.
- The position does not supervise the Criminal District Attorney, independently elected officials, or their employees and may not direct how another elected official performs a core statutory duty.
- The position does not provide personal legal advice or representation to officials, employees, or members of the public.

MINIMUM QUALIFICATIONS

- Juris Doctor degree from a law school accredited by the American Bar Association.
- Active license to practice law in Texas and good standing with the State Bar of Texas.
- At least five years of progressively responsible legal experience involving local government, public law, civil litigation, transactions, procurement, employment, real estate, or a closely related practice area.
- No professional discipline, conflict, or other restriction that would prevent effective representation of the County.
- Valid Texas driver's license or ability to obtain one within a reasonable period after appointment.

PREFERRED QUALIFICATIONS

- Experience advising a Texas county, city, special district, school district, state agency, or other public entity.
- Working knowledge of Texas county government, public contracting, open government, employment law, land use, public finance, economic development, construction, and intergovernmental agreements.
- Experience managing outside counsel, insurance-appointed counsel, complex projects, or high-value contracts.
- Experience presenting legal issues in public meetings and translating complex requirements into practical options for elected officials and staff.

REQUIRED KNOWLEDGE SKILLS AND ABILITIES

- Analyze statutes, regulations, cases, contracts, policies, and factual records and give clear, well-supported advice under time constraints.
- Draft precise legal documents and negotiate terms that protect the County while supporting the business objective approved by Commissioners Court.
- Recognize conflicts of interest, preserve privilege and confidentiality, and identify when separate or specialized counsel is required.
- Communicate candidly and respectfully with elected officials, department heads, employees, outside counsel, vendors, and members of the public.
- Manage multiple matters, deadlines, meeting schedules, and confidential records with sound judgment and minimal supervision.
- Remain politically neutral in legal analysis and distinguish legal requirements from policy choices reserved to Commissioners Court.

WORKING CONDITIONS

Work is primarily performed in an office and public-meeting environment. The position may require attendance at evening meetings, travel within or outside the County, work beyond normal business hours, and response to urgent legal matters. The employee must be able to use standard office and communication equipment and perform the essential duties of the position, with reasonable accommodation when required by law.

PERFORMANCE EXPECTATIONS

- Provides accurate and timely advice and identifies material legal risks before action is taken.
- Maintains professional independence, confidentiality, complete matter files, and reliable deadline controls.
- Produces clear contracts, opinions, policies, and meeting materials that can be understood and used by decision-makers.
- Coordinates effectively with County offices without intruding upon authority assigned by law to another elected official.
- Uses outside counsel selectively, defines assignments clearly, and monitors cost and performance.

GENERAL STATEMENT

This description identifies the principal functions and qualifications of the position. It is not an employment contract and does not list every duty that may be lawfully assigned. Commissioners Court may revise the position, consistent with applicable law and County policy. Caldwell County is an equal opportunity employer.

Signature of applicant: _____ Date: _____

