



MONTANA UNIVERSITY SYSTEM
OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION

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CHIEF LEGAL COUNSEL
MONTANA UNIVERSITY SYSTEM
Helena, Montana

January 6, 2003

The Montana University System invites applications for the position of Chief Legal Counsel.

The Montana University System ("System") is the state-supported system of higher education in Montana, governed by the Montana Board of Regents of Higher Education ("Board") and enrolling more than 34,000 students at its eight campus locations, organized under two universities, Montana State University (MSU) and the University of Montana (UM). The Chief Legal Counsel is located at Helena, Montana within the Office of the Commissioner of Higher Education, which is headed by the Commissioner of Higher Education (Commissioner), the System's chief executive officer. For more information, visit our web site at <http://mus.montana.edu>.

The Chief Legal Counsel is the chief legal officer for the Board, the System and its constituent institutions. The Chief Legal Counsel has joint responsibilities in reporting to the Board and to the Commissioner and is responsible for providing legal advice and representation to the Commissioner and the Board. The Chief Legal Counsel supervises, in cooperation with the university presidents, a campus counsel at UM and MSU. Together the Chief Legal Counsel and the campus counsel are responsible for providing legal advice and representation to the administrators, faculty and staff of both MSU and UM on a wide variety of legal matters. This representation often involves being lead counsel in matters before judicial forums, arbitrators or administrative bodies, from preparing the answer, through the discovery, briefing, motion and hearing stages. When necessary, such as for jury trials, the Chief Legal Counsel and campus counsel may secure and manage outside legal services for the System or a campus.

The Chief Legal Counsel analyzes laws, regulations and proposed legislation for their possible impact on the System, which includes keeping the campus communities informed about legal risks and their management. The Chief Legal Counsel provides guidance on legal matters including university governance, student affairs, policy formation, employment issues and grievances, health care, intellectual property, real property transactions, commercial transactions and bond offerings undertaken by the System. The Chief Legal Counsel also coordinates with the System lobbyists on legislative issues, including drafting potential legislation. The Chief Legal Counsel is responsible for supervising and managing all areas of litigation and serves as a liaison to the Attorney General's Office and other entities outside the universities.

Minimum Qualifications. Candidates for the position must possess the following minimum qualifications:

- law degree from an accredited law school, with strong academic credentials;
- legal experience, preferably including some litigation and transactional experience, with 10 years experience preferred;
- licensed to practice law in Montana and be in good standing, or eligible to obtain such admission promptly after hiring.

Preferred Qualifications. The successful candidate should also have outstanding skills and abilities in the following areas:

- ability to work cooperatively and collegially with a small legal team, including support personnel, having a significant workload but limited resources;
- ability to communicate effectively in writing and orally with members of the Board, university communities, and outside entities;
- demonstrated ability to manage and supervise attorneys and litigation;
- strong analytical, problem solving and research skills;
- knowledge and experience with public higher education legal issues;
- possess unquestioned integrity and a proven record of outstanding professional ethics.

Salary is anticipated to fall within the range of \$85,000 to \$95,000 depending on qualifications and experience. Benefits include annual and sick leave, retirement contributions, and medical insurance coverage.

Reasonable Accommodations: Under state and federal law qualified applicants with disabilities are entitled to reasonable accommodations. Modifications or adjustments may be provided to assist applicants to compete in the recruitment and selection process. An applicant must request an accommodation when needed. If you need any such accommodation, contact the Office of Commissioner of Higher Education (OCHE) at 406-444-6570. TDD users may use the relay service by dialing 711 or 1-800-253-4091.

How to Apply:

Applications and nominations will be considered until the position is filled; however applicants should submit applications by March 5, 2004 for full consideration. To receive full consideration, an application must consist of:

A letter of application, a current resume, and the names and contact information of three references (please note if applicant needs to be contacted prior to talking with references). Applicants should provide written responses to each of the following questions:

- Describe how you meet each of the minimum and preferred qualifications outlined above.
- List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the dates of admission in each case.
- Describe the general nature of your current practice including any legal specialties; also summarize previous practice, if substantially different than current practice.
- Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law? If yes, please provide summary, including dates.
- Describe your experience with matters involving public entities.

Electronic submission of these materials is preferred and strongly encouraged.

Nominations and applications should be sent to: Edwina Dale, Office of Commissioner of Higher Education, 2500 Broadway, Helena, MT 59620. Phone number: 406-444-6570. Electronic submissions should be emailed to edale@oche.montana.edu.

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