



General Counsel

Michigan Independent Citizens Redistricting Commission

Date Posted: Monday, October 5, 2020

Applications Due: Monday, October 26, 2020 no later than 5:00pm

Background:

Every 10 years following the U.S. Census, district lines for political offices must be redrawn in states across the country to accurately reflect their population. In Michigan, a randomly selected commission of citizens is responsible for drawing U.S. Congressional and Michigan State House and Senate district lines. Voters amended the state constitution in the November 2018 general election to make citizens — not legislators or special interests — responsible for drawing district lines (called “redistricting”). The commission is composed of 13 randomly selected Michigan registered voters: four who affiliate with the Democratic Party, four who affiliate with the Republican Party, and five who do not affiliate with either major political party.

In September 2020, the randomly-selected Commission convened for the first time. The General Counsel will assist the Commission in fulfilling their constitutional obligations as they embark on a new process involving new redistricting criteria and requiring transparency and public engagement throughout the map drawing process. Final maps must be completed and approved by November 1, 2021.

General Position Description and Responsibilities:

Seeking an experienced attorney with solution-oriented and collaborative leadership skills to serve as the General Counsel of the Michigan Independent Citizens Redistricting Commission. The General Counsel must demonstrate experience in serving a public body in Michigan with issues ranging from Open Meetings Act, Freedom of Information Act, contracts, hiring and employment issues, as well as a commitment to the enforcement of the Voting Rights Act of 1965.

This individual will be a public servant involved in the citizen redistricting process, and accordingly must exhibit the highest standards of excellence, integrity, and nonpartisan commitment. At the direct report of the Commission and the Executive Director, the General Counsel will serve as the primary legal counsel for implementation and legal compliance with Michigan Constitution Article IV Sec. 6, helping guide and assist the Commission in executing a robust, independent, fair, citizen-led, and transparent redistricting process.

As the key attorney and point of contact for legal matters related to the Commission and redistricting, the responsibilities of the General Counsel will include the following:

- Serve as main legal advisor for the Commission, the Executive Director, and Commission Staff.
- Ensure compliance with the spirit and letter of the law regarding both open meetings and Article IV Sec. 6 of the Michigan Constitution in all Commission activities, policies, and procedures.



- Manage relationships with additional legal counsel, specialized legal counsel or experts, and/or representation in court on behalf of the Commission.
- Provide written and spoken legal advice to the Commission and its staff.
- Draft and issue legal opinions, memoranda, and advice on administrative and other legal issues.

Knowledge, Skills and Abilities:

The General Counsel must demonstrate capacity for high-level administrative and policy leadership and tasks, including, but not limited to:

- Ability to communicate effectively both in writing and in oral presentations. This includes the ability to synthesize and communicate complex information to a public audience.
- Provide accurate analysis of legal problems, legal research, and apply legal principles evidentiary rules and precedents to solutions.
- Ability to write and edit correspondence, briefings, memorandum, legal opinions, and regulations.
- Represent the Commission at meetings, public hearings, and legal proceedings.
- Knowledge of the Open Meetings Act requirements.
- Knowledge of parliamentary procedure established by Robert's Rules of Order for meetings.
- Knowledge and experience with Michigan state government administration. This includes familiarity and knowledge of practices, procedures and organizations within the legislative and executive branches of government.
- Experience advising public boards, commissions or governing bodies.
- Experience with litigation and/or managing litigation counsel.
- Experience and expertise in the implementation and/or enforcement of federal redistricting law, including the Voting Rights Act of 1965.

Requirements:

- JD and Active membership in the state bar of Michigan, in good standing.
- Minimum of 5 years (10 years preferred) of experience in the practice of law.

Additional information:

This position is a limited-term hire of 2 years. After the completion of the mapping process in the year 2022, the Commission will evaluate whether to renew a contract for General Counsel or if the responsibilities of the role are no longer required.

Article IV Sec. 6 (4) of the Michigan Constitution states, "The commission shall have procurement and contracting authority and may hire staff and consultants for the purposes of this section, including legal representation."

Accordingly, the Michigan Department of State will collect applications for presentation to the Michigan Independent Citizens Redistricting Commission. The Commission is fully autonomous and will review,



interview, and select the General Counsel. The Michigan Department of State will not review, score, or select applicants. Employees of the Commission will serve at the pleasure of the Commission.

Finally, Article IV Sec. 6 (11) of the Constitution states, "The commission, its members, staff, attorneys, and consultants shall not discuss redistricting matters with members of the public outside of an open meeting of the commission, except that a commissioner may communicate about redistricting matters with members of the public to gain information relevant to the performance of his or her duties if such communication occurs (a) in writing or (b) at a previously publicly noticed forum or town hall open to the general public." Individuals interested in serving as General Counsel should be aware of compliance with this guidance.

Work Location:

Position location flexible in the immediate term due to the uncertainty presented by the COVID-19 pandemic. Frequent travel may be required.

Salary range: \$124,025 - \$156,497

Contact Information:

All inquiries should be sent to The Michigan Department of State. To apply, please email your resume, cover letter, and answers to supplemental questions to Redistricting@Michigan.gov with the subject line "General Counsel Application."

Supplemental Questions

1. Are you an active member of the state bar of Michigan, in good standing?
2. How many years of experience do you have in the practice of law?
 - none
 - 1-4 years
 - 5-9 years
 - 10 or more years
3. How many years of experience do you have working in the public sector and/or Michigan state government?
 - none
 - 1-4 years
 - 5-9 years
 - 10 or more years
4. Describe your leadership approach and explain how you have implemented this approach in your current/previous position(s).
5. Do you have experience with the Open Meetings Act and parliamentary procedure established by Robert's Rules of Order for meetings?
6. How many years of experience do you have advising public boards, commissions or governing bodies?
 - none



- 1-4 years
 - 5-9 years
 - 10 or more years
7. Describe your experience with litigation and/or managing litigation counsel.
 8. Do you have experience with the implementation and/or enforcement of federal redistricting law, including the Voting Rights Act of 1965?
 9. Provide a writing sample (i.e. sample memorandum)

Equal Opportunity Statement

The Commission will provide equal employment opportunity for all persons regardless of race, religion, color, sex, sexual orientation, height, weight, marital status, partisan considerations, national origin, age, genetic information or disability that is unrelated to the person's ability to perform the job. The Commission is committed to promoting equal employment opportunity by employing and advancing persons based on merit, ability, and potential for development.