



Conference of Western Attorneys General

Legal Director Position

www.cwagweb.org

Background:

The Conference of Western Attorneys General (CWAG) is a bipartisan group, consisting of the attorneys general of 15 western states and three Pacific territories. These 18 jurisdictions are the founding and voting members of the association. These include Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. The Conference also includes the Pacific jurisdictions of American Samoa, Commonwealth of the Northern Mariana Islands and Guam. CWAG has expanded beyond our regional designation to include 20 additional jurisdictions as Associate members. Associate members participate in legal seminars and working groups active in a variety of legal areas. Associate members include: Alabama, Arkansas, Connecticut, the District of Columbia, Florida, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Nebraska, North Carolina, Oklahoma, Rhode Island, Texas, Vermont, West Virginia and Wisconsin.

CWAG's primary function is to provide a forum for chief legal officers of member states and jurisdictions to cultivate knowledge, cooperate on concerns and coordinate actions which improve the quality of legal services available to members. CWAG focuses on common areas of interest to the West: water law, fish and wildlife, public lands, minerals, environmental protection and Indian law.

Position:

The Legal Director provides legal counsel to the CWAG staff and executive committee, while developing and fostering relationships between and amongst public and private sector legal professionals. The Legal Director takes initiative to create programming, support state Attorney General's Offices on a variety of legal topics, and works well with stakeholders at all levels.

The Legal Director reports directly to the CWAG Executive Director.

This position requires approximately 50% travel around the United States and infrequent international travel.

Location:

The Legal Director will reside in one of the Continental Western states represented by CWAG (Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington or Wyoming). This is a remote working position.

Core Qualifications:

- University/ College Degree
- Law Degree
- Bar Membership in a US Jurisdiction
- At least 10 years' experience as an attorney in a dynamic legal environment, preferably that of an attorney general's office, district attorney's office, U.S. Attorney's office, military JAG office, or related state or federal agency
- Significant trial and/or litigation experience
- Experience conducting legal trainings
- Expertise in creating and growing programs from initial concepts to operational capability

Core Skills:

The CWAG Legal Director should demonstrate excellence in the following areas:

- Vision: Think outside the box with ideas that will grow the organization;
- Self-direction: In a virtual work environment, down time equates to development time. Creating and pitching new ideas; Improving programing and processes without directive; Enhancing the value of legal services offered to members and partners;
- Connectivity: In a virtual office environment, the Legal Director must be comfortable with and able to be diligent and productive in a “work from home” environment;
- Mission Execution and Commitment to Quality: Be effective and resolute in setting deadlines, sticking to those deadlines and completing projects and initiatives in a timely manner with the highest dedication to the production of quality outcomes;
- Adaptability: Demonstrate a willingness to be flexible, nimble, versatile, and tolerant in a changing work environment while maintaining effectiveness and efficiency;
- Initiative: Suggest new ideas, take ownership of those ideas, and then volunteer to move forward with those ideas;
- Foster Teamwork: Work cooperatively and effectively with others to set goals, resolve problems, and make decisions that enhance organizational effectiveness. Treat all others with respect and dignity;
- Service: Demonstrate a commitment to public service and to providing the best support possible to CWAG stakeholders and constituents;

- Humility: Share the credit, take accountability. Work well with the small but mighty team of CWAG employees.

Cover letters should detail how the candidate satisfies the above criteria.

Responsibilities

- CWAG Annual Meeting
- CWAG Chair Initiative
- WAGLAC
- Bipartisan Examination of Legal Issues of Importance to Western States
- Bipartisan Meetings with Federal Officials With Attorneys General
- Inquiries and Amicus Requests
- Chief Editor, American Indian Law Deskbook
- NAAG Cooperation
- International Rule of Law Programs
- Roundup Newsletter
- Coordinate with other regional organizations

CWAG'S ANNUAL MEETING

The Legal Director provides assistance in the development of panel topics and agenda items which are of legal relevance and importance to the state AGs. CWAG works with AGO's, academics and private sector interests to provide panels which present a variety of views on topics. This gathering garners attendance from across the country, with over a hundred attendees from AGO's, two hundred private sector attendees representing corporations and law firms and academics and other state federal officials. The 2017 meeting had thirty Attorneys General from across the country gather for three days of discussions, and more than 800 total attendees. The Legal Director works with the Executive Director to coordinate the subject matter of the presentations, as well as the selection and preparation of moderators and presenters on the panels.

CWAG Annual Meeting topics focus on a variety of legal issues both within and beyond the scope of the core environmental and resource issues of the West. Meeting agendas explore topics as diverse as consumer protection, anti-trust, pharmaceutical, cyber crime, housing, banking and marijuana, economic development, civil rights and other constitutional principles.

CWAG CHAIR INITIATIVES

The Legal Director assists in developing and implements the substantive agenda for the annual CWAG Chair Initiative. CWAG leadership chooses the theme of the conference and works with the CWAG staff to develop the agenda and appropriate presentations. The initiative focuses on state leadership in regulation, law enforcement and consumer protection issues. Previous Chair Initiative's have focused on data and privacy issues, cyber crime and energy matters.

WESTERN ATTORNEYS GENERAL LITIGATION ACTION COMMITTEE (WAGLAC)

The Legal Director oversees and coordinates WAGLAC, a group that focuses on legal issues of importance to the Western states: natural resources, public lands, water, environmental, tribal, Indian gaming and energy issues. WAGLAC meets several times throughout the year at various Western locations.

The group consists of assistant attorneys general involved in litigation related on relevant issues. WAGLAC was created and the AG offices maintain participation in it to analyze, consider and to make recommendations on selected legal issues of concern to CWAG; promote the exchange of information and expertise in litigation of general concern to CWAG members; assist in coordination of litigation on subjects of regional concern; and coordinate the filing of amicus briefs on subjects of regional concern.

The group also receives training via special programs focused on issues of interest to the AGO's. This year, a 7 hour CLE on natural resource damages was held in San Francisco. The law firm of Kelly Drye provided the materials and hosted the forum for CWAG. They worked with CWAG to integrate speakers from AGO offices and academia. CWAG has previously provided these forums in conjunction with law schools and other AGO's. This was the first time an outside law firm was utilized and it was well received.

BIPARTISAN EXAMINATION OF LEGAL ISSUES OF IMPORTANCE TO WESTERN STATES

The Legal Director, as requested by CWAG member Attorneys General, works with AG staff to examine legal questions. A useful example of a recent inquiry centers around a populist movement in some of the western states regarding federal land ownership, and addressed the following questions:

Question 1: Does the Property Clause in the United States Constitution, Article IV, Section 3, Clause 2, empower Congress to retain public lands in federal ownership indefinitely?

Question 2: Is the ownership of the public lands by the federal government limited to those purposes set forth in the Enclave Clause, United States Constitution Article I, Section 8? Or, to ask the question another way, is there a reasonable legal basis for a claim that the Enclave Clause precludes federal purchase, ownership, and control for other purposes?

BIPARTISAN MEETINGS WITH FEDERAL OFFICIALS WITH ATTORNEYS GENERAL

Upon request, the CWAG Legal Director arranges meetings with federal officials on topics of interest to the members. The Legal Director produces necessary materials for the meetings in

conjunction with the AG staff. Each year CWAG Attorneys General meet with the Secretary of the Interior to discuss federal land management, water, the ESA and oil and gas issues. Additionally, CWAG may meet with the Attorney General or Secretary of State or other cabinet officials or their deputies and directories.

The Legal Director coordinates a Transition Briefing Paper. CWAG connects with partners such the Western Governors' Association or NAAG to produce a paper which best represents areas where the states are in consensus on legal issues. A recent paper on Federalism prepared for President Trump is attached.

INQUIRIES AND AMICUS REQUESTS

The Legal Director acts as a clearinghouse for questions from member states and for the distribution of amicus requests which touch on CWAG's core legal expertise or any other subject.

AMERICAN INDIAN LAW DESKBOOK

CWAG has published the American Indian Law Deskbook (AILD) each year since 1993. The Legal Director acts as the chief editor of the AILD. In that role, the Legal Director recruits chapter authors; oversees volunteer chapter authors from various attorney general offices; reviews and edits all submissions from the chapter authors; acts as the chapter author for any chapters without an assistant attorney general assigned to it; and coordinates with the publisher to make sure all deadlines are met to produce each annual edition. **NAAG COOPERATION**

CWAG staff works closely with National Association of Attorneys General (NAAG) staff to share information about what each organization is doing to eliminate duplication and encourage cooperation. The Legal Director will attend NAAG meetings and NAAG Chief Deputy meetings.

INTERNATIONAL RULE OF LAW PROGRAMS

The CWAG Alliance Partnership is an international rule of law program supported by the state Attorneys General's Offices (AGOs) of 42 US states and jurisdictions. The CWAG Alliance Partnership promotes collaboration among state Attorneys General from participating countries; supports greater efficiency and transparency in criminal, civil and commercial judicial systems; and provides training programs that promote the effective investigation and prosecution of transnational criminal activity.

CWAG Alliance Partnership programs have also brought together public and private sector partners together to promote the rule of law, combat corruption and support uniform enforcement of laws in various countries, including El Salvador, Cuba and countries throughout Africa.

The CWAG Legal Director does not have direct responsibility for Alliance Partnership activities, but serves as an ambassador for the program to interested participants in the various state AGOs.

ROUNDUP

The CWAG Legal Director publishes a weekly email newsletter, the Roundup. With a subscription list of 2000 people, it reaches state AG's, AGO staff, federal officials, private sector parties and anyone who has attended or participated in a CWAG meeting. It serves as a valuable tool to keep members and the interested public informed about the important work our attorneys general do and the activities of CWAG. The Legal Director monitors press releases and news items for inclusion in the Roundup, and posts the newsletter and accompanying articles on CWAG's website.

COMPENSATION:

Salary is negotiable, commensurate with experience. CWAG offers a generous benefits package.

TO APPLY

Please submit cover letter, resume, and one writing sample via email to Deputy Director Lauren Niehaus at: LNiehaus@cwagweb.org

CWAG is an Equal Opportunity Employer and values diversity.