



## **GENERAL COUNSEL**

### Position Profile

*Fall 2019*



The University of Tennessee invites applications and nominations for the position of **General Counsel**. The General Counsel is the chief legal officer for the University of Tennessee and all its constituent parts, including UT Athletics.

## THE POSITION

### **Description:**

The General Counsel is appointed by the by the Board of Trustees upon the recommendation of the President and serves on the University of Tennessee executive leadership team, reporting directly to the President. The General Counsel is the chief legal officer for the University of Tennessee and all its constituent parts. The General Counsel serves as the primary legal advisor to the President as it relates to anticipating potential legal concerns related to high-level decision-making and advising the UT executive leadership team on matters with potential legal implications. The General Counsel also assists and advises on a wide range of topics including high-level human resources issues, policy development and implementation, federal and state compliance, shared governance, intellectual property, student and employee misconduct, issues pertaining to athletics and other potential legal matters impacting institutions of higher education. The General Counsel and attorneys working under the General Counsel's supervision are responsible for all legal matters affecting the University, including representation of the University and University officials in legal actions. In consultation with the President and the Chief Financial Officer, the General Counsel is authorized to retain outside counsel to represent the University in legal actions or otherwise assist in carrying out the responsibilities of the General Counsel. No other officer or employee is authorized to employ attorneys or retain outside counsel to handle legal matters for any campus, institute, or other unit of the University.

The Board approves the appointment of the General Counsel, upon the recommendation of the President. The Board alone has authority to remove the General Counsel, which shall require a simple majority vote if recommended by the President and a two-thirds roll-call vote if not recommended by the President.

## **Duties and Responsibilities:**

The General Counsel's primary objective is to ensure the University is operating within the law at all times, being aware of all transactions the University is engaged in, including those that may be in only the preliminary stages. This will ensure limited risk exposure to the bottom line, personnel and the University's public image. The General Counsel is involved in the University's legal affairs including various contracts, intellectual property issues, non-profit registration requirements, conducting research, drafting legal documents and assisting in negotiations.

Under the direction of the President, Board of Trustees and University officers, the General Counsel and legal team prepares and renders legal opinions as requested; prepares and represents the University at administrative law hearings and judicial proceedings; attends and provides legal advice at meetings of the Board of Trustees; coordinates and monitors legal matters with outside counsel; prepares pleadings and handles depositions, interrogatories, pretrial motions, pretrial and settlement conferences, studies; interprets laws, court decisions, ordinances and other legal authorities; provides legal assistance in the drafting of legal documents, Board policy, rules and regulations, resolutions, applications of diverse kinds and other legal or related papers upon request and drafts contracts deeds, leases, ordinances, resolutions, rules, regulations, and other legal documents. The General Counsel may also be responsible for representing the University or the University's legal position at legislative hearings or with various State officials. He/she also provides presentations on behalf of the University or its affiliated entities to the Board of Trustees for review or related action.



# ABOUT THE UT SYSTEM

The University of Tennessee is comprised of campuses at Knoxville, Chattanooga, and Martin; the Health Science Center at Memphis; the Space Institute at Tullahoma; and the statewide Institute of Agriculture and Institute for Public Service.

The UT System has a presence in each of Tennessee's 95 counties. Through the combined force of education, research and outreach, the University serves students, business and industry, schools, governments, organizations and citizens statewide.

The University of Tennessee System, through its multiple campuses and institutes, serves the people of Tennessee and beyond through the discovery, communication and application of knowledge. The System is committed to providing undergraduate, graduate and professional education programs in a diverse learning environment that prepares students to be leaders in a global society. The UT System's delivery of education, discovery, outreach and public service contributes to the economic, social and environmental well-being of all Tennesseans.

The Board of Trustees is the governing body of the University of Tennessee, overseeing the educational and operational activities of the statewide University system. The 12-member board is comprised of 1 ex officio member, who is the Commissioner of Agriculture for the State of Tennessee, and 11 appointed members, one of whom is a non-voting student member. The Secretary of the University is the principal staff liaison between the University administration and the Board of Trustees.



# QUALITIES AND QUALIFICATIONS

## *Education:*

A Juris Doctorate (JD) from an accredited law school is required, in addition to an active license to practice law in the State of Tennessee (or eligibility to apply for admission at the time of application and admitted within six months of hire).

## *Experience:*

Fifteen plus (15+) years of experience as a practicing attorney is required. Experience with legal issues relating to higher education is preferred.

Specific skills include:

- demonstrated leadership skills Experience: and abilities.
- commitment to quality and integrity.
- expertise in current legal methodology, University policies and practices and state and federal laws, statutes and regulations.
- exceptional skills in communications and interpersonal relations.
- knowledge of and commitment to affirmative action and equal employment opportunity.
- ability and willingness to delegate effectively and to hold direct reports accountable.
- skilled decision-maker, with transparency in decision-making and management.
- excellent oral, written and presentation skills; exceptional listening skills.

## *Qualities:*

The General Counsel will exhibit qualities of emotional maturity, genuineness, self-confidence, common sense, good judgment, fairness, creativity, discretion, decisiveness, political savvy, diplomacy, tact, resiliency, adaptability, courage of convictions and tolerance for ambiguity. Demonstrated behavioral expectations include:

- unquestioned integrity and trustworthiness.
- commitment to the University's mission and strategic plan, as well as missions and strategic plans for each campus/institute.
- knowledge of and commitment to the tenets of diversity, equity and inclusive excellence as it relates to their supervisory role and in their practice of law
- ability to make good, consistent and fair decisions (based on fact and data).
- ability to work with cross-functional teams and to foster teamwork.
- support of training and practices that ensure compliance with University, state and federal policies, statutes and regulations.



## PROCEDURE FOR CANDIDACY

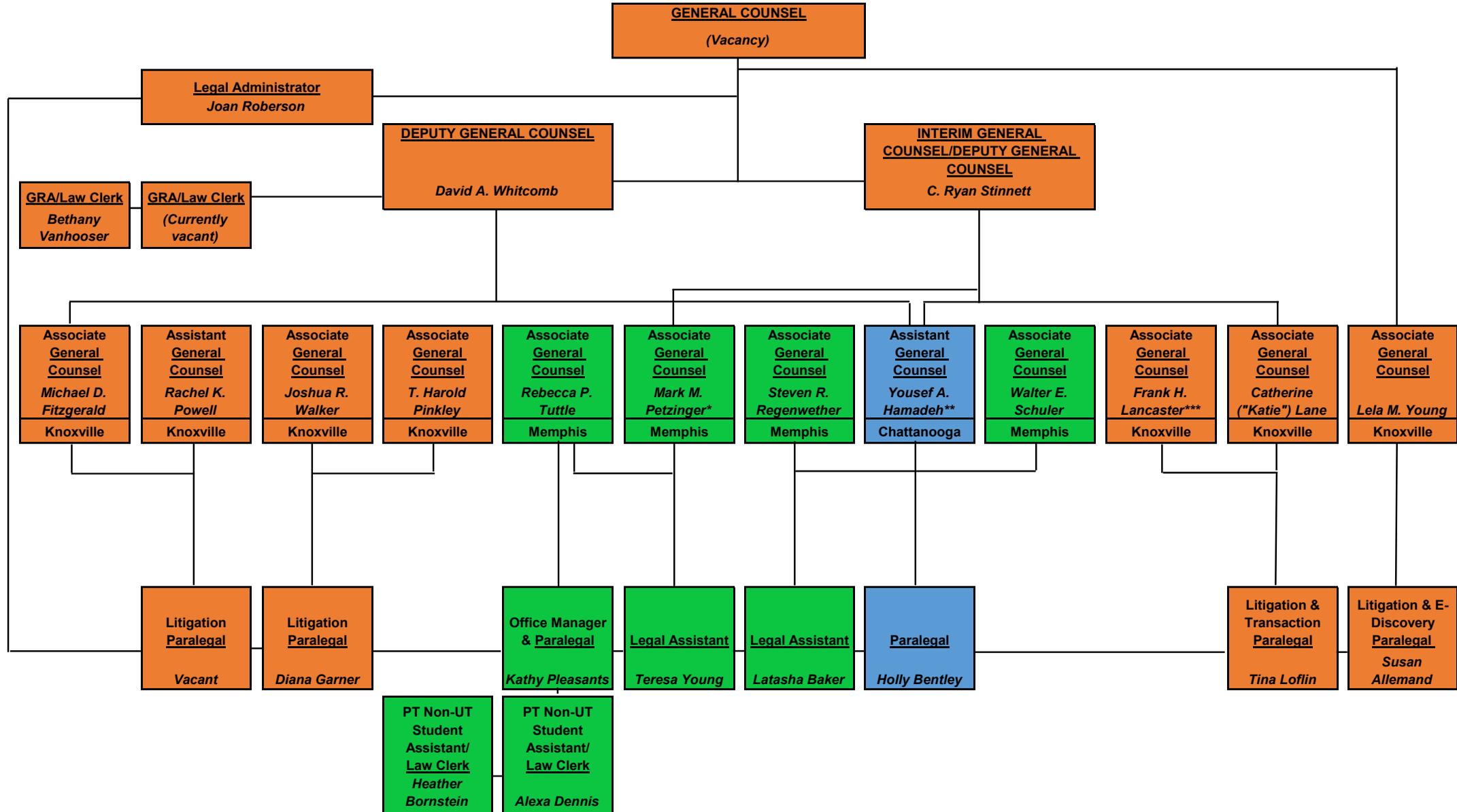
Candidates should apply electronically with a current resume or c.v., list of references, and a letter addressing how the candidate's experience matches the position requirements outlined in the job description, as well as the applicant's specific interest in the position. Recruitment will begin immediately and continue until the position is filled. For full consideration, applicant information should be received by **October 22, 2019**. For additional information about the opportunity, and to apply, please visit:

**[https://ut.taleo.net/careersection/ut\\_system/jobdetail.ftl?job=190000010S](https://ut.taleo.net/careersection/ut_system/jobdetail.ftl?job=190000010S)**

Compensation for this position will be competitive with comparable positions at peer institutions. The University offers a comprehensive benefits package that includes excellent healthcare and tuition benefits for employees and their families, generous retirement benefits, a wide variety of professional development opportunities, supportive work and family benefits and much more. Additionally, Tennessee residents do not pay a state income tax. For more information on the University of Tennessee's benefits, we invite you to visit: <https://hr.tennessee.edu/benefits/>

*The University of Tennessee is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA institution in the provision of its education and employment programs and services. All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.*

UNIVERSITY OF TENNESSEE  
OFFICE OF GENERAL  
COUNSEL



\*Deputy General Counsel Whitcomb supervises Associate General Counsel Petzinger in litigation matters, and Deputy General Counsel Stinnett supervises him in transactional matters.

\*\*Deputy General Counsel Whitcomb supervises Assistant General Counsel Hamadeh in litigation matters, and Deputy General Counsel Stinnett supervises him in transactional matters.

\*\*\*Deputy General Counsel Stinnett supervises Associate General Counsel Lancaster in transactional matters.



## **Appendix I - The Knoxville Community**

Nestled the foothills of the Appalachian Mountains along the Tennessee River, Knoxville is a thriving Southern city known for its great outdoors, diverse music scene, and wide variety of eateries. It is nationally known for its Urban Wilderness, located less than three miles from downtown, with more than 50 miles of natural trails. A vibrant downtown, located less than a mile from the heart of the UT campus, offers live entertainment, unique shopping and outstanding local dining and brews.

With a population at nearly 185,000, it is both the oldest and the third-largest city in the state of Tennessee; only Memphis and Nashville are larger., Knoxville is a one-hour drive from Great Smoky Mountains National Park, the U.S. National Park Service’s most-visited site. Knoxville also is within a day’s drive or less to many major metropolitan areas, including Atlanta, Chicago, Washington, D.C., and the Atlantic coast. UT’s Neyland Stadium is one of the country’s largest sports venues.

Knoxville #8 in "America's Favorite Places" by Travel & Leisure, #2 in “Most Affordable Cities” by Forbes, #5 for “Best Cities for Small Business” by CNN Money, and a Top 10 “Destination on the Rise” by Trip Advisor.

## Appendix II - The State of Tennessee

Tennessee is a state with more than 6.6 million people, four large metropolitan areas, two time zones, and an economy ranked\* 13th-largest in the United States. While more Tennessee jobs and economic activity today are industrial or knowledge-based than agrarian, farming and agricultural production remain fundamental to the state's economy. Major outputs include textiles, cotton, cattle, and electrical power – thanks to being home to TVA.

From the Mississippi River on the western border, to the Appalachian Mountains on the eastern border, Tennessee spans a distance of more than 400 miles. Major geographic and cultural diversity are evident from the delta and farm areas of the west, to the rolling hills surrounding Nashville in Middle Tennessee, to the mountainous landscape of East Tennessee.



The state's four largest cities are Memphis, metropolitan area population: almost 1.3 million; Nashville, metropolitan area population: 1.9 million; Knoxville, metropolitan area population: almost 870,000; and Chattanooga, metropolitan area population: about 550,000.

Major corporations headquartered in Tennessee include FedEx, AutoZone, International Paper, all based in Memphis; Pilot Corp., Discovery Networks, and Regal Entertainment Group based in Knoxville; Eastman Chemical based in Kingsport; Nissan's North American headquarters in Franklin; and the headquarters of Caterpillar Financial, Bridgestone-Firestone and HCA, all based in Nashville. A large Nissan manufacturing facility has been in Smyrna since 1982. In 2015, Volkswagen announced a \$17.8 million expansion of its major manufacturing facility in Chattanooga.

The University of Tennessee maintains a presence in, draws students from and boasts alumni in each of Tennessee's 95 counties. Collectively, the entire state is the campus, and overseeing all UT enterprises and maintaining relationships with the University's numerous constituencies statewide is the responsibility of the UT System president.

\*Source: *U.S. News and World Report* Economy Rankings