



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Secretary & CEO



Internal/External Job Posting

Requisition ID: 21000B8Y
Posting Date: January 14, 2022
Closing Date: Open Until Filled
Official Title: Counsel II
Functional Title: Right of Way Attorney
Location: Highway – Right of Way Conveyance
State Transportation Building
10 Park Plaza, Boston MA 02116
Vacancies: 4
Salary: \$79,184.56 – 107,957.46
Schedule: Full-Time
Shift: Day
Bargaining Unit: D
HR Specialist: Jennifer Tobin
Diversity Officer: Derrick Mann – 857-368-8541
ADA Coordinator: Heather Ulesoo – 617-851-9447

About MassDOT

An agency on the move, the Massachusetts Department of Transportation (MassDOT) takes great pride in connecting the Commonwealth’s residents and communities. Powered by a growing data-analytics discipline – and working in conjunction with municipalities, public agencies and the private sector – we’re finding new ways to improve the Bay State’s transportation infrastructure.

MassDOT is responsible for developing, implementing, and coordinating transportation policies and projects for the Commonwealth of Massachusetts and to efficiently plan, design, construct, and maintain a safe statewide transportation system which effectively meets the transportation needs of the Commonwealth.

MassDOT's divisions include: Highway, Aeronautics, Registry of Motor Vehicles, Rail & Transit, and Planning & Enterprise Services. There are approximately 3,600 employees across the organization.

MassDOT's goal is to provide employees with greater flexibility in when and where they work while continuing to execute MassDOT's Safety and Customer Service Mission. Furthermore, MassDOT will be doing our part to lead by example in reducing congestion and greenhouse gas emissions by minimizing overall workplace commuting travel during peak hours through telework and schedule flexibility.

This position has a high degree of remote flexibility once established in the role. The selected candidate will be expected to follow a hybrid work model that consists of both in-office and work from home days, as needed.

POSITION SUMMARY:

Incumbents of positions in this series represent assigned agencies in court or at administrative hearings; obtain information on cases and prepare cases for trials or hearings; advise agency staff on legal matters; draft administrative, court and legal documents; provide information to the public on agency functions, rules and regulations; and perform related work as required. The basic purpose of this work is to represent the agency's position and statutory obligations in legal matters, ensuring that agency activities comply with law.

DUTIES & RESPONSIBILITIES:

1. Performing real estate title exams for MassDOT land takings at various Registries of Deeds throughout the Commonwealth
2. Reviewing real estate title exams submitted by MassDOT contracted title examiners in order to determine their accuracy in comparison to MassDOT taking plans and then summarizing the exam results in written form In order to assist MassDOT Right of Way agents in dealing with property owners.
3. Working with landowners and their attorneys to resolve any determined title defects that act as an impediment to the issuance of pro-tanto awards.
4. Recording various legal documents at Registries of Deeds throughout the Commonwealth that are related to the MassDOT Right of Way process in acquiring private property for the benefit of the general public.
5. Assisting the Right of Way Finance manager with property identification, communicating with landowners in order to get the requisite documentation for award payments and resolving disputes with landowners and existing lienholders in reference to pro-tanto award payments.
6. Assisting sister agencies with telephone inquiries in regards to state owned land and existing Right of Way projects, participating in field inspections with sister agency personnel and gathering and sharing any Right of Way legal documents related to the same.

7. Coordinating Administrative Review Board meetings, communicating with landowners and their attorneys in gathering evidence for their claims, summarizing and presenting said evidence to the Review Board, communicating Review Board decisions to the landowners and their attorneys, preparing all legal documents in order to facilitate settlement agreement payments, and keeping an organized database of all Administrative Review claims for future reference.
8. Liaison to the Office of the Attorney General (AGO) with respect to eminent domain cases of MassDOT, which arise out of the right of way process. This includes maintenance of case records, case preparation, forwarding required information to AGO, settlement and mediation and monitoring of trial activity.
9. Provides legal assistance to Right of Way on a variety of matters, including acquisitions, relocation, property management, appraisal, administrative settlements and other matters.
10. Coordinates with the General Counsel on various departmental matters as assigned.
11. Prepares legislation as required by the ROW Bureau, particularly land transfer and Article 97 legislation as required for highway and bridge projects. Responsible for matters of encroachments and access issues originating through the various District field Offices of MassDOT.

Minimum Entrance Requirements:

This requisition will remain open until filled; however, first consideration will be given to those applicants that apply within the first 14 days.

Minimum Entrance Requirements:

Applicants must have a Juris Doctor (JD) degree, admission to the Massachusetts Bar and at least three years of full-time, or equivalent part-time, professional experience in the practice of law.

Incumbents may be required to have a current and valid Motor Vehicle Driver's License at a Class level specific to assignment.

All job applications must be submitted online through MassCareers to be considered.

- For questions regarding the job posting, email Jennifer.m.tobin@dot.state.ma.us .
- For general questions regarding MassDOT, call the Human Resources Service Center at 857-368-4722.
- For a disability-related reasonable accommodation or alternative application method, call ADA Coordinator, Heather Ulesoo – (617) 851-9447.

An Equal Opportunity / Affirmative Action Employer. Females, minorities, veterans, and persons with disabilities are strongly encouraged to apply.