

Our client, SMA America, is seeking a Legal Director & Head of Legal Services Americas (“Legal Director”) to provide legal support and senior management to all of the Group’s legal entities in the Americas, and later also Australia. The Legal Director will advise on all corporate matters, lead contract management and commercial project management resources, supervise compliance and oversee outside counsel.

POSITION OVERVIEW

SMA America’s Legal Director will provide legal counsel and senior management to all of the Group’s legal entities in North, Central, and South America, and later also Australia. Key responsibilities include regularly providing effective legal advice on business strategies and their implementation, leading contract management and commercial project management resources, and advising on and negotiating all legal agreements. The Legal Director will also be responsible for supervising compliance and overseeing outside counsel.

The Legal Director will report directly to the EVP Americas/President & General Manager of SMA America LLC, USA and will be a dotted-line report to the Group General Counsel, SMA Solar Technology AG, who resides in Germany. The Legal Director will be the only in-house lawyer for SMA America and will manage three individuals in the Contracts Management and Commercial Project Management functions.

RESPONSIBILITIES

The Legal Director’s additional responsibilities will include:

- Advising on all corporate matters;
- Analyzing legal risks and advising management in support of strategic and tactical management activities;
- Interpreting all relevant laws, rulings and regulations for the Company;
- Advising on and representing the Company in any threatened, potential and existing litigation;
- Serving as the general business and legal counsel to internal clients,
- Structuring and negotiating commercial agreements, including partnerships, acquisitions, divestitures and joint ventures;
- Developing, implementing and overseeing management of risk management, compliance, and data privacy programs;
- Analyzing and negotiating proposals, letters of intent, contracts, terms and conditions, and statements of interest relating to proposed domestic and international sales, service and procurement transactions;
- Creating, updating and negotiating non-disclosure and confidentiality agreements;
- Advising on legal aspects of the Company’s financing, including assessing current and future business structures and legal entities;
- Preparing transactional documents related to financing and dispositions;

- Selection, monitoring and managing of outside counsel;
- Performing duties of corporate stewardship for all American and Australian legal entities and functions; and
- Fostering alignment and teamwork across the internal functions, including Sales, Service, Production and R&D.

PROFESSIONAL QUALIFICATIONS & SKILLS

The Legal Director shall have:

- J.D. from a well-respected law school;
- Admission in good standing to the California State Bar;
- Strong expertise in corporate, business, contract and compliance laws;
- 8+ years of experience as a commercial generalist with extensive contracts management experience,
- 3+ years as in-house legal counsel in a complex international company;
- Strong Spanish language skills, including experience drafting and negotiating agreements in the Spanish language; and
- Excellent overall business understanding to offer sound business solutions.

SMA also desires:

- An MBA or an undergraduate degree in business;
- Management experience or proven leadership capabilities;
- Experience working with North and Latin American clients;
- In-house legal experience within a US subsidiary of an international corporation with headquarters outside the US;
- Experience with US labor law;
- Experience in supporting a comprehensive compliance management system; and
- Antitrust law expertise.

Interested, qualified candidates should email their resume and a brief cover letter to SMALegalDirector@mlaglobal.com.