

AGENCY LEGAL SPECIALIST III

This is professional legal work in a State agency with specialization in a variety of legal/programmatic areas or functions, and in-depth or technical programmatic involvement in the management of agency programs. Examples of work include participation in managerial conferences, assessment of the impact of proposed Federal or State legislation, drafting of legislation, and explanation of proposed legislation for Legislative committees. Additional examples of work include determination of compliance with the Administrative Procedures Act, conducting or representing the agency in administrative hearings, drafting or reviewing contracts, and providing technical information or support to the Office of Attorney General when formal legal opinions are required, or when formal legal proceedings must be initiated. Employees usually report to an executive legal counsel position or report directly to a director or deputy director of an agency.

NOTE: Representation of the State, State agencies, or employees in a court of law, and the issuance of formal legal opinions are responsibilities of attorneys in the Office of Attorney General. Positions in this class may cooperate with the Office of Attorney General in these efforts, but have no authority to act as formal legal counsel for the State.

I. DIFFICULTY OF WORK:

Variety and Scope - Work assignments include significant involvement in a variety of specialized legal/programmatic functions, and the employee may also have involvement in the legal issues of several agency programs.

Intricacy - Work requires analysis of complex legal issues in conjunction with the assessment of various programmatic alternatives to determine a managerial course of action which is legally acceptable and of maximum benefit to the agency.

Subject Matter Complexity - Employee must have a professional legal knowledge of the laws, rules, regulations, and procedures related to the specific programmatic areas served. In addition, an in-depth understanding of a complex or technical agency program is characteristic of this level.

Guidelines - Professional legal-guidelines such as laws, ruler, regulations, the rules of evidence, and legal precedents are available, but may require judgment when applied to specific situations. A variety of programmatic guidelines are usually available, but require considerable judgment and interpretation in order to fully assess the factual situation for which legal analysis is required.

II. RESPONSIBILITY:

Nature of Instructions - Assignments may be received with generalized problem statements, goals, or objectives; however, time frames for completing work are generally established.

Nature of Review - Work is reviewed after completion by an executive legal supervisor for quality and consistency in the application of legal principles, laws, and regulations to factual situations. If the employee reports to an administrative director or agency head, the review will be through the assessment of the impact of the employee's decisions on the administration of agency programs.

Scope of Decisions - Decisions have effect on multiple programmatic areas within the agency, the employees, and the clients or segments of the general public served or affected by the regulatory operations of the agency.

Consequence of Decisions - Employees at this level may be responsible for case preparation or the hearing of technical regulatory proceedings, the results of which may impact on the health, welfare, or safety of the general public. In all positions at this level, decisions are made integrally with higher level management and significant financial costs or potential impairment of the success of agency operations is a possibility.

III. INTERPERSONAL COMMUNICATIONS:

Scope of Contacts - Work requires contact with professional program administrators, their staffs, and segments of the general public served by the agency. Contacts may include Federal officials, legislators, the Office of the Attorney General, attorneys, and their clients.

Nature and Purpose - The primary purpose is to explain and interpret the legal decisions rendered, and to provide legal guidance to administrators in the programmatic decision-making process. Employees may be expected to negotiate with adversary legal counsel satisfactory administrative remedies to avoid or end litigation. Work also involves participating jointly in the managerial decision-making process with responsibility for justifying the proposed course of action.

IV. OTHER WORK DEMANDS:

Work Conditions - Work is generally conducted in an office setting or similar environment.

Hazards - Work may involve travel, and employees are subjected to normal driving hazards.

V. RECRUITMENT STANDARDS:

Knowledges, Skills, and Abilities - Considerable knowledge of the principles and practices of administrative law. Considerable knowledge of the laws, rules, and regulations applicable to the programmatic or administrative areas to which the position is assigned. Considerable knowledge of the programmatic principles and/or technical concepts, procedures and terminologies related to the area to which the position is assigned. Ability to interpret laws, rules, regulations and court decisions. Ability to analyze facts, evidence, and legal documents. Ability to express legal interpretations or conclusions of law clearly and logically in oral and written form. Ability to maintain effective working relationships with the public and other persons contacted in the course of work.

Minimum Education and Experience - Graduation from an accredited law school and three years of related professional legal or programmatic experience; or an equivalent combination of education and experience. A Master's Degree in a relevant area may be substituted for one year of the required experience.

Special Note - This is a generalized representation of positions in this class and is not intended to identify essential functions per ADA. Examples of work are primarily essential functions of the majority of positions in this class, but may not be applicable to all positions.