

## ATTORNEY IV

Employees in this class independently perform the most complex and advanced legal support work for the State. Under the supervision of a division director, employees are assigned to the most significant, complex, and protracted civil, criminal, and administrative cases and research and issue formal legal opinions on the most complex and sensitive questions posed to the office of the Attorney General. At this level cases involve major constitutional issues, public policy concerns, or issues that may have extreme impact on economic conditions, natural resources, or a wide segment of the general public. Employees work independently in determining case strategy, developing litigation tactics, and conducting litigation. Employees may oversee other attorneys who assist in the investigation, research, or other phases of their cases. Work includes the analysis of case law in a field to determine trends that may affect litigation or lead to recommended changes in state laws and regulations. Employees perform related duties as required.

### I. DIFFICULTY OF WORK:

Variety and Scope - Employees are responsible for analyzing facts, conducting discovery, researching, drafting pleadings, briefs and other documents, questioning witnesses, and arguing to the court in all cases assigned to them. Employees devise case strategy, develop the legal issues in the case, and conduct the courtroom litigation. Employees determine the potential for settlement, negotiate terms for settlement, and recommend settlement to the client agency. At this level employees may be assigned cases over time in several varying areas of law in the state.

Intricacy - Cases assigned at this level typically involve significant constitutional issues, matters of environmental or social impact to the majority of the state, issues of public policy, or questions of potential impact to other states or the nation. Legal issues in these cases are characterized by questions of first impression, legal strategies not used in similar proceedings, and technical subjects requiring research and specialized understanding to handle the case.

Subject Matter Complexity - Work requires an understanding of legal jurisprudence and theory, judicial proceedings, and effective advocacy in various types and levels of courts and administrative hearing agencies. Additional understanding of statutory and case law pertaining to a particular field is developed through the research and study.

Guidelines - Rules governing court proceedings and the taking of evidence are followed in trial and appellate court systems. Rules for administrative hearing and hearings before quasi-judicial agencies are followed for those proceedings.

### II. RESPONSIBILITY:

Nature of Instructions - Employees are assigned cases designated by the division director or attorney general based on its significance and complexity. Employees then determine strategy, tactics, and additional support staff requirements to handle the case.

Nature of Review - Work is not generally reviewed. Employees keep the division director or attorney general informed of the developments in their cases and issues for the approval of settlements.

Scope of Decisions - Cases assigned at this level may affect the public policy of the State or a significant portion of the state's population, natural resources, or economic conditions. Cases typically involve areas of public interest or constitutional issues for which prior case law and decisions are limited.

Consequence of Decisions - The outcome of these cases may set precedents or provide guidance on future cases with similar issues. Decisions in cases of this scope may lead to changes in statutory law or determine future legislative action. Decisions may have financial consequences for the State.

### III. INTERPERSONAL COMMUNICATIONS:

Scope of Contacts - Work requires contact with a variety of officials and technical experts in the judicial system, state and federal agencies, private industry, other legal firms, and the general public.

Nature and Purpose - Contact is to gather information and facts pertaining to a case, to research statutory and case law, to negotiate agreements with outside parties, to prepare witnesses for questioning, to advise and persuade clients concerning the appropriateness of settlements, and to determine compliance with court orders. Professional contacts are made to discuss legal implications and points of law in prior cases and to determine applicability to the case at hand.

### IV. OTHER WORK DEMANDS:

Work Conditions - Work is conducted in a typical office or courtroom setting.

Hazards - Employees are not typically exposed to workplace hazards.

### V. RECRUITMENT REQUIREMENTS:

Knowledges, Skills, and Abilities - Thorough knowledge of case, statutory, regulatory, and common law. Thorough knowledge of judicial and quasi-judicial procedures. Ability to conduct complex civil or criminal litigation in trial and appellate courts. Ability to interpret and apply laws, constitutional provisions, statutes, administrative regulations, and court decisions. Ability to analyze facts, evidence, and legal instruments. Ability to express conclusions and arguments clearly and logically in oral and written form. Ability to determine issues in various cases. Ability to analyze complex legal problems and render formal opinions. Ability to establish and maintain effective working relationships. Ability to creatively develop case strategy and tactics.

Minimum Training and Experience Requirements - Graduation from a recognized school of law and four years of progressively responsible professional legal experience; or an equivalent combination of training and experience.

Necessary Special Qualification - License to practice law in the State of North Carolina.

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.

Degrees must be received from appropriately accredited institutions.