

## EXECUTIVE LEGAL SPECIALIST - AGRICULTURE

This is professional legal work as the principal staff counsel in the Department of Agriculture. The employee serves as legal advisor to the Commissioner, Deputy and Assistant Commissioners, and division heads. Work includes drafting departmental legislation, explaining the department's viewpoint on proposed legislation to the Legislature, and advising the Commissioner on the impact of new or proposed Federal legislation. As internal legal counsel the work also includes providing professional legal analysis in the formulation of departmental policies, advising division directors on regulatory matters, chairing hearings, reviewing contracts, resolving legal issues in which departmental employees are involved, and providing legal assistance to businesses and the general public concerning departmental programs. The employee reports to an Assistant Commissioner, but is involved in all executive level meetings in which legal issues are a factor.

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 of Work - The work is characterized by a wide variety of duties, which can include involvement in any legal matter related to the operations of the Department.

Intricacy - The State and Federal laws, rules, and regulations relating to the Department are extensive and complex. In addition legal analysis must be combined with an understanding of agricultural programs in order to reach many decisions.

Subject Matter Complexity - Work requires an in-depth understanding of State and Federal agricultural laws, rules, and regulations, combined with a general understanding of the field of agriculture.

Guidelines - Extensive guidelines are available generally relating to the laws, rules, and regulations affecting the field of agriculture: however, considerable analysis is required to determine the proper interpretation that must be applied to any specific factual situation.

### II. RESPONSIBILITY:

Nature of Instructions - Assignments are received with generalized problem statements, goals, or objectives given. Time frames for completion of work are generally established.

Nature of Review - Work is reviewed by an Assistant Commissioner of Agriculture through a qualitative assessment of the impact of the employee's decisions on the administration of the agency.

Scope of Decisions - Decisions have a direct effect on the operations of the Department and businesses engaged in or related to agricultural production, with an indirect effect on the consuming public.

Consequences of Decisions - Legal interpretations or decisions as a hearings officer have a significant impact on the operations of the Department and businesses engaged in or related to agricultural production. Involvement in policy and programmatic decision-making may produce a less apparent, but nevertheless, significant impact on departmental operations.

III. INTERPERSONAL COMMUNICATIONS:

Scope of Contacts - Work requires contact with the management and staff of the Department, the Legislature, the Federal Department of Agriculture, agricultural businesses and their legal counsel, and the general public.

Nature and Purpose - The primary purpose is to explain and interpret agricultural laws, rules, and regulations; to adjudicate administrative appeals, and to provide legal guidance to the management of the Department in the policy and programmatic decision-making process.

IV. OTHER WORK DEMANDS:

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

Hazards - Work may involve some travel with normal exposure to the hazards of driving. There may be some exposure to potentially dangerous agricultural equipment or pesticides, but risk is very minimal in the normal conduct of duties.

V. RECRUITMENT STANDARDS:

Knowledges, Skills, and Abilities - Thorough knowledge of the principles and practices of administrative law. Considerable knowledge of the laws, rules, and regulations applicable to the field of agriculture. General knowledge of the fields of agriculture and agricultural economics. Ability to interpret agricultural laws, rules, and regulations with respect to specific agricultural operations and practices. Ability to deal effectively with management and the staff of the Department, legislators, agricultural businessmen and their legal counsel, and the general public.

Minimum Education and Experience - Graduation from an accredited school of law (preferably with a license to practice law in North Carolina), and one year of professional legal experience, preferably including some legal experience related to the field of agriculture; or an equivalent combination of education and 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.

All degrees must be received from appropriately accredited institutions