

Position Summary

This summary describes the organization, duties, and requirements of a State of Michigan vacancy.

Position Code: ADMSPLEB04N

Civil Service Class and Level: Admin Law Specialist-E

Working Title (What the agency calls the position): Legal Resource Specialist

Name and Position Code Description of Direct Supervisor: WILLIAMS, MATTHEW T; SENIOR POLICY EXECUTIVE

Department/Agency: STATE POLICE

Bureau (Institution, Board, or Commission): Office of the Director

Division: Transparency and Accountability

Section: Legal Resources and Education

Unit:

Work Location (City and Address)/Hours of Work: 7150 Harris Drive, Dimondale, MI / Monday through Friday; 8 a.m. until 5 p.m.

General Summary of Function/Purpose of Position: In consultation with the Department of Attorney General where needed, this position serves as a legal resource responsible for performing legal analysis and research on behalf of the Michigan Truck Safety Commission (Public Act 348 of 88) and the State 9-1-1 Committee (Public Act 79 of 99), both being quasi-judicial Boards that is statutorily created, within the Michigan State Police (MSP). This position reviews policy and forms development by providing legal review and guidance and is the primary in-house advisor.

This position leads a variety of tasks including supporting the department's legislative liaisons by analyzing, reviewing, and drafting proposed legislation; providing legal instruction, law-related courses; assisting with administrative rulemaking; conducting in-depth legal research; drafting a variety of correspondence and memoranda; and drafting or reviewing contracts and agreements. This position functions in a bias free manner.

The Attorney General and designated Assistant Attorneys General provide attorney/client privileged legal advice to state agencies and officers and represent them in court. This position will collaborate with the Department of Attorney General and does not provide those services on behalf of the agency.

Assigned duties and tasks for each duty.

Duty 1: LEGAL RESEARCH AND ANALYSIS: In consultation with the Department of Attorney General where needed, conduct legal research and analysis. Provide instruction and guidance to department members and department leaders. Work with local worksites, other law enforcement agencies, and the public in responding to enforcement-related questions.

- Performing legal research and analysis of statutes, case decisions, Attorney General opinions, and other rulings of law and fact using available public source and subscription electronic databases or print sources.
- Preparing summaries and analyses of cases highlighting the legal and factual issues in dispute and preparing legal memoranda detailing the state of the law and probable outcome of legal questions to assist department members and department executives in making strategic decisions.
- Working with local work sites to ensure compliance with the law through the analysis of facts and application of the law and reviewing and analyzing official orders or the law in order to assist local commanders with applying the orders or the law to unique fact situations.
- Quickly and accurately communicating via e-mail, letter, or telephone in response to legal questions posed by police officers, the public, or local state police commanders.
- Preparing correspondence to inform department members of changes in law.
- Represent the department at meetings with stakeholders and other legal experts in areas of law related to department responsibilities.

Duty 2: Provide legal support to the department's specialized divisions, including the Criminal Justice Information Center, Emergency Management and Homeland Security Division, Biometrics and Identification Division, Forensic Science Division, and the Michigan Intelligence Operations Center.

- Serve as a liaison on legal matters between specialized divisions, Office of the Director, and the Attorney General's Office.
- Conduct legal research and preparing legal memoranda or other summary documents to assist specialized divisions with decision making.
- Serve as the department's in-house expert on legal matters related to the Firearms Act, the Sex Offender Registry, and Criminal Justice Information Systems.
- Provide support and guidance on legal matters related to emergency declarations, funds disbursement, and emergency procurement.
- Provide expert legal support and advice on specialized legal matters affecting specialized divisions, including statutes and caselaw governing privacy, data collection, and public body transparency.

Duty 3: REVIEW OR DEVELOPMENT OF POLICY OR FORMS: Review current and proposed policies or department forms for compliance with state and federal law. Develop or revise department policies or orders for which the division is responsible.

- Review proposed forms and modifications of existing forms at the request of the department's forms manager.
- Research and identify appropriate statutory bases for department forms.
- Assist policy development staff with reviewing official orders for legal sufficiency.
- Monitor changes in the law that might require a change in department policy.
- Draft or propose policy revisions when changes in the law require policy modifications.
- Conduct required annual reviews of official orders that are law-related and identify or propose appropriate changes.
- Prepare for department-wide distribution correspondence explaining changes in, or application of, official orders, the law, or other headquarters-related matters.
- Draft and review contracts, Memoranda of Understanding, and Memoranda of Agreement to ensure all legal rights and privileges are maintained.

Duty 4: GENERAL LEGAL SUPPORT: Assist various department members with interpreting or applying official orders or state or federal law.

- Preparing cease and desist letters, response letters, demand letters, or other legal correspondence.
- Discussing legal issues with the media when requested by the Public Affairs Section.
- Reviewing and analyzing proposed legislation or introduced bills to assist the Government Relations Section with determining potential impact on the department or the criminal justice community.
- Supporting or assisting the Attorney General's office upon request in specific department related matters or contributing to specific work groups established by the Attorney General's office.
- Coordinating, approving, and transmitting, or assisting in coordinating, approving, and transmitting requests for opinions from the Department of Attorney General.
- Assisting the department's litigation coordinator with legal or procedural issues as needed.
- Draft and review contracts, Memoranda of Understanding, and Memoranda of Agreement to ensure all legal rights and privileges are maintained.

Duty 5: In consultation with the Department of Attorney General, assist or lead various law-related functions and initiatives.

- Perform all administrative rulemaking responsibilities as the assigned Regulatory Affairs Officer (RAO) for the department, or in directly assisting the assigned RAO in the performance of those responsibilities, including preparing Annual Regulatory Plans, conducting research in support of rulemaking, and making recommendations for new or revised rules.
- Coordinate, develop, and process all administrative rulemaking authority delegated by law to the department.
- Instruct law-related topics during in-service course and department recruit schools.
- Conduct non-legal research or carrying out other projects to further the mission of the department as assigned by the Director, chief deputy director, or division commander.
- Serve as or supporting the department's designated Tribal Liaison responsible for representing the Director and department in meetings, consultation, and to otherwise facilitate communication with the twelve federally recognized Indian tribes located in Michigan and other state tribal liaisons.
- Assist the department's litigation coordinator with legal or procedural issues as needed.
- Draft correspondence on behalf of office command or the Director.
- Other duties as assigned by supervisor.

Types of decisions made independently and whom or what those decisions affect: Decisions on prioritizing duties and assignments based on deadlines, the department's position, the mission, goals, and objectives of the section, and the specific tasks to be achieved.

Decisions concerning the methods to be used, within known acceptable limits, to accomplish the duties listed above.

Types of decisions that require the supervisor's review: Decisions that significantly alter the mission, goals, or operation of the department when clear direction has not been given and decisions which impact the department's standing in the criminal justice community.

Physical effort used to perform this job and environmental conditions of this position: This position generally works in office and classroom environments. The position requires work at a computer, as well as standing, sitting, kneeling, lifting, walking, and bending. This position may operate from a variety of locations including an office, department vehicles, and meeting rooms. Occasional travel for meetings or training may be required.

Names and classes and levels of employees whom this position immediately supervises:

The essential functions of this position: The essential duties of this position is to serve as general legal resource/staff specialist managing, all department administrative rulemaking authority including any authority delegated to any statutorily created commission housed within the department. Further, this person is responsible for serving as the department's in-house legal expert in a variety of areas of the law. The position will coordinate related legal instruction and ensuring compliance with the legal instruction requirements of the Michigan Police Basic Training Curriculum. This person must interpret and apply laws, and develop, interpret, and implement relevant policies, procedures and forms and review all department agreements for legal sufficiency.

The function of the position's work area and how it fits into that function: This position falls under the department's Office of the Director and reports to the division commander of the Transparency and Accountability Division, the Chief Deputy Director, and/or the Director in performing research and analysis regarding the legal, regulatory, and administrative rulemaking functions on behalf of the department, and provides technical legal assistance, research, and analysis involving department related legal issues and matters of policy for use by command staff and department executives. This position also serves to ensure that department members are educated concerning the legal parameters in which they must operate on a daily basis.

Minimum education, experience, and credentials typically needed to perform the position's essential functions:

EDUCATION:

Possession of a Juris Doctorate degree from an accredited school of law.

EXPERIENCE:

Administrative Law Specialist 13

No specific type or amount is required.

Administrative Law Specialist 14

One year of professional experience in legal work equivalent to an Administrative Law Specialist 13 or Administrative Law Examiner 13, or as an attorney.

Administrative Law Specialist P15

Two years of professional experience in legal work, including one year equivalent to an Administrative Law Specialist 14 or Administrative Law Examiner 14; or, two years of experience as an attorney.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Strong verbal and written communication skills; knowledge of MS Office software including Word and PowerPoint; ability to effectively use basic legal research tools (print and electronic); ability to draft a basic legal memoranda; rudimentary knowledge of the legislative process; ability to conduct web-based research; familiarity with law enforcement specific resources, particularly those providing access to model policies or procedures; knowledge of law enforcement administration, including organizational structure and leadership.
- Knowledge of Michigan criminal law and procedure and other applicable statutes, rules and regulations, policies and procedures.
- Ability to interpret regulations, statutes, and caselaw in making decisions.
- Ability to communicate clearly and effectively with others, both verbally and in writing.
- Ability to exercise considerable tact and diplomacy when dealing with complex, sensitive and confidential matters.

CERTIFICATES, LICENSES, REGISTRATIONS:

Membership in good standing in the Michigan State Bar.