

1. Position Code

State of Michigan
Department of Civil Service
Capitol Commons Center, P.O. Box 30002
Lansing, MI 48909

Federal privacy laws and/or state confidentiality requirements protect a portion of this information.

POSITION DESCRIPTION

This form is to be completed by the person that occupies the position being described and reviewed by the supervisor and appointing authority to ensure its accuracy. It is important that each of the parties sign and date the form. If the position is vacant, the supervisor and appointing authority should complete the form.

This form will serve as the official classification document of record for this position. Please take the time to complete this form as accurately as you can since the information in this form is used to determine the proper classification of the position. **THE SUPERVISOR AND/OR APPOINTING AUTHORITY SHOULD COMPLETE THIS PAGE.**

2. Employee's Name (Last, First, M.I.) 	8. Department/Agency ATTORNEY GENERAL
3. Employee Identification Number 	9. Bureau (Institution, Board, or Commission) CRIMINAL JUSTICE
4. Civil Service Classification of Position ATTORNEY STAFF-E / SENIOR ATTORNEY	10. Division CRIMINAL TRIALS AND APPEALS
5. Working Title of Position (What the agency titles the position) ASSISTANT ATTORNEY GENERAL	11. Section APPEALS
6. Name and Classification of Direct Supervisor ANDREA CHRISTENSEN-BROWN ATTORNEY ADMINISTRATOR – 1	12. Unit
7. Name and Classification of Next Higher Level Supervisor JOHN S. PALLAS ATTORNEY ADMINISTRATOR - 2	13. Work Location (City and Address)/Hours of Work LANSING OR DETROIT OFFICES MONDAY – FRIDAY 8:00 A.M. - 5:00 P.M.

14. General Summary of Function/Purpose of Position

As a staff or senior level attorney, the incumbent is expected to handle legal assignments that have an impact on cases within the Appeals Section of the Criminal Trials and Appeals Division. The incumbent will routinely handle assignments of varying legal complexity. The incumbent, under the supervision of the First Assistant and/or the Section Head will draft briefs in state criminal appeals in the Michigan Court of Appeals or Michigan Supreme Court and handle oral argument. The incumbent, again under the supervision of the First Assistant and/or the Section Head will draft briefs, motions, and appellate briefs in federal courts, conducts evidentiary hearings, as well as appears for oral arguments relating to federal habeas corpus litigation. As a corollary to the duties above, the incumbent coordinates with state county prosecutors, the Michigan Department of Corrections, state trial courts, and the federal courts, regarding case and prisoner status. When called upon, the incumbent becomes part of a trial team in the Trial Section of the CTA Division, as a legal advisor and writer. And when called upon, the incumbent assists in researching legal issues at the direction of the Division Chief, First Assistant, Section Head, or members of the Executive Division.

For Civil Service Use Only

15. Please describe your assigned duties, percent of time spent performing each duty, and explain what is done to complete each duty.
List your duties in the order of importance, from most important to least important. The total percentage of all duties performed must equal 100 percent.

Duty 1

General Summary of Duty 1 **% of Time 35**

State criminal appeals

Individual tasks related to the duty.

- Respond to state court appeal briefs from criminal convictions obtained in 56 of 83 of Michigan's county prosecutors in the Michigan Court of Appeals and the Michigan Supreme Court as part of the PAAS (Prosecuting Attorneys Appellate Service) Section.
- Respond to state court appeal briefs from criminal convictions obtained by other divisions in the Department.
- Appear at oral arguments in the Michigan Court of Appeals and Michigan Supreme Court.
- With permission of Division management and the Solicitor General, take appeals of adverse decisions in the Michigan Court of Appeals to the Michigan Supreme Court
- Do amici briefs in the area of Michigan criminal law and procedure, and other legal issues when deemed appropriate by division management and/or the Solicitor General Bureau
- Advise county prosecutors on legal issues relating to criminal law and procedure

Duty 2

General Summary of Duty 2 **% of Time 35**

Federal habeas corpus litigation and appeals

Individual tasks related to the duty.

- Carry a caseload of federal habeas corpus petitions within the substantive practice of the section, which includes motions, evidentiary hearings, and briefing in federal district courts
- Handle federal habeas appellate briefing and oral arguments in the United States Court of Appeals for the Sixth Circuit, and if necessary, seek review in the United States Supreme Court or respond to petitions for certiorari when asked to do so by the Supreme Court and/or assigned to do so by division management and the Solicitor General Bureau
- Do amici briefs and pleadings in the area of federal habeas practice when deemed appropriate by division management and/or the Solicitor General Bureau
- Coordinate with county prosecutors in defending the constitutionality of the state court convictions underlying federal habeas corpus litigation
- Coordinate with the Michigan Department of Corrections in implementing federal court habeas corpus orders
- Function as a liaison between the federal district court and state courts
Maintain accurate records and calendaring to track and meet case deadlines and facilitate timely exchange of key case information

Duty 3

General Summary of Duty 3

% of Time 20

As assigned, become a research and writing specialist as part of trial team(s) for significant/high profile case(s) in the Trials Section of the CTA Division

Individual tasks related to the duty.

- Do research and writing on issues arising in the pre-trial, trial, sentencing, and immediate post-conviction phase of a significant
- Draft and file pre-trial or post-conviction motions as deemed necessary
- Argue motions in the trial court
- Advise the other members of the trial team on legal issues that arise before, during, and after trial

Duty 3

General Summary of Duty 4

% of Time 10

Research and drafting projects

Individual tasks related to the duty.

- Research and draft memoranda on issues of interest to the Department or Division as directed by the Executive Division, the Solicitor General Bureau, and Division management.
- Research and draft memoranda, briefs, and draft Attorney General opinions on varying substantive legal issues at either the request of division management, the Solicitor General Bureau, or the Executive Division.

18. What kind of physical effort do you use in your position? What environmental conditions are you physically exposed to in your position? Indicate the amount of time and intensity of each activity and condition. Refer to instructions on page 2.

Work is typically performed in an office setting. The work will also require attendance at court proceedings, oral arguments, and meetings etc., which will entail travel and transporting legal files and related materials to other sites. Some travel may involve overnight stays in and out of state.

19. List the names and classification titles of classified employees whom you immediately supervise or oversee on a full-time, on-going basis. (If more than 10, list only classification titles and the number of employees in each classification.)

<u>NAME</u>	<u>CLASS TITLE</u>	<u>NAME</u>	<u>CLASS TITLE</u>
N/A.			

20. My responsibility for the above-listed employees includes the following (check as many as apply):

- | | |
|---|--|
| <input type="checkbox"/> Complete and sign service ratings. | <input type="checkbox"/> Assign work. |
| <input type="checkbox"/> Provide formal written counseling. | <input type="checkbox"/> Approve work. |
| <input type="checkbox"/> Approve leave requests. | <input type="checkbox"/> Review work. |
| <input type="checkbox"/> Approve time and attendance. | <input type="checkbox"/> Provide guidance on work methods. |
| <input type="checkbox"/> Orally reprimand. | <input type="checkbox"/> Train employees in the work. |

21. *I certify that the above answers are my own and are accurate and complete.*

Signature

Date

NOTE: Make a copy of this form for your records.

TO BE COMPLETED BY DIRECT SUPERVISOR

22. Do you agree with the responses from the employee for Items 1 through 20? If not, which items do you disagree with and why?
Yes.

23. What are the essential duties of this position?

To function as a Staff Attorney / Senior Attorney in the Appeals Section of the Criminal Trials and Appeals Division.

24. Indicate specifically how the position's duties and responsibilities have changed since the position was last reviewed.

N/A. New position.

25. What is the function of the work area and how does this position fit into that function?

The Criminal Trials and Appeals Division is a division within the Department of Attorney General. The incumbent is an Assistant Attorney General assigned to handle important legal matters within the division.

26. In your opinion, what are the minimum education and experience qualifications needed to perform the essential functions of this position.

EDUCATION:

Graduation from an accredited law school.

EXPERIENCE:

No specific amount of experience is required beyond possession of a J.D.; however, it is highly desirable that candidates possess some work experience in the legal field gained either through clerkships, post-bar admission legal practice, etc.

KNOWLEDGE, SKILLS, AND ABILITIES:

Thorough knowledge of fundamental subjects of law. Knowledge of research procedures. Ability to prepare briefs and argue cases before state and/or federal courts. Knowledge of court procedures. Knowledge of practices and procedures of the Department of Attorney General. Ability to communicate effectively, both verbally and in writing. Ability to use judgment, tact and discretion. Ability to analyze facts and draw logical conclusions. Ability to maintain accurate records.

CERTIFICATES, LICENSES, REGISTRATIONS:

Membership in good standing with the Michigan State Bar.

NOTE: Civil Service approval of this position does not constitute agreement with or acceptance of the desirable qualifications for this position.

27. I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.

Supervisor's Signature

Date

TO BE FILLED OUT BY APPOINTING AUTHORITY

28. Indicate any exceptions or additions to the statements of the employee(s) or supervisor.

29. *I certify that the entries on these pages are accurate and complete.*

Appointing Authority's Signature

Date