

**State of Michigan
Civil Service Commission**

Capitol Commons Center, P.O. Box 30002
Lansing, MI 48909

Position Code

1. ATTORNEYEA96N

POSITION DESCRIPTION

This position description serves as the official classification document of record for this position. Please complete the information as accurately as you can as the position description is used to determine the proper classification of the position.

2. Employee's Name (Last, First, M.I.)	8. Department/Agency ATY GNRL CENTRAL OFFICE
3. Employee Identification Number	9. Bureau (Institution, Board, or Commission) Environment and Government Operations Bureau
4. Civil Service Position Code Description Attorney	10. Division Collections Division
5. Working Title (What the agency calls the position) ASSISTANT ATTORNEY GENERAL	11. Section
6. Name and Position Code Description of Direct Supervisor ; ATTORNEY ADMINISTRATOR-2 19	12. Unit
7. Name and Position Code Description of Second Level Supervisor ATTORNEY ADMINISTRATOR-3 20	13. Work Location (City and Address)/Hours of Work GRAND BLVD, DETROIT, MI 48202/ MON -- FRI 8:00 AM TO 5:00 PM

14. General Summary of Function/Purpose of Position

A staff level attorney in the Collections Division handles legal assignments that have an impact on cases involving the defense, enforcement and collection of state taxes and other money due to the State of Michigan and its agencies. The attorney is expected to review, assess, work-up and try cases in state and federal court and in administrative forums. Under the direct supervision of the Division Chief, the First Assistant or the Section Supervisor, the attorney drafts formal and informal legal opinions and handles routine and complex litigation and appellate matters and provides day-to-day legal representation for various state agencies, boards, commissions, officers and employees. The attorney is expected to keep clients and supervisors advised as to the status of all matters he/she is handling.

15. Please describe the assigned duties, percent of time spent performing each duty, and what is done to complete each duty.

List the duties from most important to least important. The total percentage of all duties performed must equal 100 percent.

Duty 1

General Summary:

Percentage: 70

Litigation

Individual tasks related to the duty:

- Appears in state and federal courts as well as administrative tribunals as assigned.
- Evaluates respective legal positions; plans legal strategies; drafts pleadings and briefs; and, subject to review and approval, negotiates settlements.
- Conducts legal research.
- Handles hearings, including motions, and trials on behalf of state agencies and government employees.

Duty 2

General Summary:

Percentage: 10

Legal Opinions

Individual tasks related to the duty:

- Analyzes legal questions; conducts legal research; drafts legal opinions for review (formal Attorney General Opinions, letter opinions and memoranda of advice).
- Advises the client informally, as the need arises, on client related legal issues.
- Researches and prepares legal memoranda directly for the client on issues as requested by the client.
- Responds to Citizen Inquiries as assigned.

Duty 3

General Summary:

Percentage: 10

Miscellaneous Duties

Individual tasks related to the duty:

- Attend and participate in training as necessitated by the demands of the Department, client and the position.
- Attend staff meetings.
- Review current legal periodicals and case law updates as required by the position to remain current in the assigned area of legal practice and procedure.
- Participate in inter-Division working groups and assist other divisions and their staff in assigned areas of law.
- Assist in responding to inquiries from the public as they relate to the client agency and prepare written responses to inquiries on behalf of the Attorney General and client agencies.
- Timely completion of all required reports, for example monthly reports.

Duty 4

General Summary:

Percentage: 10

Appellate Practice

Individual tasks related to the duty:

- Research and draft pleadings to preserve or prosecute the interests of the Division's clients in the state and federal appellate courts.
- Appear and represent the Division's clients at oral argument on appeal in the state and federal courts.

16. Describe the types of decisions made independently in this position and tell who or what is affected by those decisions.

Generally responsible for the day-to-day decisions and case management related to civil litigation, contested administrative hearings, appeals, and legal strategies to employ to best advance the legal interests of the clients. The attorney must also provide sound legal guidance to the state government agencies represented by the Collections Division. The attorney exercises substantial discretion in handling citizen calls, oral inquiries for advice and in negotiating matters, short of ultimate settlement or resolution, with opposing counsel. The degree of independence will vary with the complexity of the case.

17. Describe the types of decisions that require the supervisor's review.

Matters requiring review by the supervisor include, for example: settlement negotiations; final versions of pleadings such as motions, briefs, and settlement agreements; final versions of appellate pleadings; final drafts of formal written memoranda of advice to clients; final drafts of proposed Attorney General opinions and responses to citizen inquiries.

18. What kind of physical effort is used to perform this job? What environmental conditions in this position physically exposed to on the job? Indicate the amount of time and intensity of each activity and condition. Refer to instructions.

Work is typically performed in an office setting. The work may also require attending meetings, court proceedings, administrative hearings, depositions, etc., which may entail travel and transporting legal files and related material to other sites. Many hours using computer for composing legal briefs and other documents as well as computer use for research.

19. List the names and position code descriptions of each classified employee whom this position immediately supervises or oversees on a full-time, on-going basis.

20. This position's responsibilities for the above-listed employees includes the following (check as many as apply):

- | | |
|---|--|
| ☐ Complete and sign service ratings. | ☐ Assign work. |
| ☐ Provide formal written counseling. | ☐ Approve work. |
| ☐ Approve leave requests. | ☐ Review work. |
| ☐ Approve time and attendance. | ☐ Provide guidance on work methods. |
| ☐ Orally reprimand. | ☐ Train employees in the work. |

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

Yes

23. What are the essential functions of this position?

Represent the State of Michigan, Michigan Department of Treasury and Michigan Department of Health and Human Services in legal matters as an Assistant Attorney General. To thoroughly understand the statutory and administrative authority of the Division's client agencies. Provide oral or written legal guidance to client agencies. Represent the agencies in civil or administrative proceedings.

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

The Collections Division recently began handling the subrogation, estate recovery and special needs trust cases of MDHHS.

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

The Collections Division acts as legal counsel to the Department of Treasury in all matters pertaining to the administration of state taxes and supervision of local taxes. It also represents other State departments in the collection of delinquent accounts, including bankruptcies in Michigan as well as out-of-state. The Collections Division also acts as legal counsel to the Department of Health & Human Services regarding subrogation, estate recovery and special needs trust matters. This attorney will perform the duties of an Assistant Attorney General handling complex matters of significance to the jurisprudence of this State as well as cases having major fiscal importance. The incumbent serving in this position is a staff attorney providing legal services to client agencies serviced by the Collections Division of the Department of Attorney General. The attorney handles legal assignments as assigned by the managing attorneys.

26. What are the minimum education and experience qualifications needed to perform the essential functions of this position.

EDUCATION:

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

EXPERIENCE:

As described in applicable Civil Service job specifications.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of fundamental subjects of law. Knowledge of research procedures. Ability to prepare briefs and argue cases before state and/or federal courts and agencies. 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 conclusions. Ability to maintain accurate records.

CERTIFICATES, LICENSES,

REGISTRATIONS:

Membership in good standing with the Michigan State Bar.

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

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

Date

TO BE FILLED OUT BY APPOINTING AUTHORITY

Indicate any exceptions or additions to the statements of employee or supervisors.

None - PD prepared by management.

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

Appointing Authority

Date

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.

Employee

Date