

1. Position Code
ATTORNEYA

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) ENVIRONMENT AND GOVERNMENT OPERATIONS BUREAU
4. Civil Service Classification of Position ATTORNEY STAFF-E	10. Division ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE DIVISION
5. Working Title of Position (What the agency titles the position) ASSISTANT ATTORNEY GENERAL	11. Section
6. Name and Classification of Direct Supervisor ATTORNEY ADMINISTRATOR- 2	12. Unit
7. Name and Classification of Next Higher Level Supervisor POLLY SYNK (ACTING) ATTORNEY ADMINISTRATOR- 3	13. Work Location (City and Address)/Hours of Work WILLIAMS BUILDING, LANSING 8 – 5 MONDAY - FRIDAY

14. General Summary of Function/Purpose of Position

The attorney in this position will serve in the Environment, Natural Resources, and Agriculture Division. The attorney will, under supervision of the Division Chief, First Assistant, or Section Head, provide legal services to the Departments of Environment, Great Lakes and Energy; Natural Resources; and Agriculture and Rural Development. The attorney's work will focus principally on matters involving state environment, natural resources and agriculture laws and related federal laws. The attorney may also work on matters involving American Indian law and the Land Division Act. The incumbent will initially handle assignments that are typically of limited factual and legal complexity with substantial one-on-one supervision, including providing day-to-day legal advice to various state agencies, boards, commissions and officers, and employees, and representation in state and federal administrative proceedings and courts.

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 55

Represent the State, the Departments of Environment, Great Lakes and Energy; Natural Resources; and Agriculture and Rural Development in civil litigation in state and federal courts and in formal administrative proceedings; and any other assignment relating to the successful performance of the duties, goals, and objectives of the Department of Attorney General.

Individual tasks related to the duty.

- Appear in state and federal courts.
- Evaluate respective legal positions; plans strategies; drafts pleadings, motions and briefs; and negotiates settlements with supervisor approval.
- Review referrals or other requests for legal representation from client agency.
- Analyze factual and legal issues related to assignment.
- Thoroughly research applicable law.
- Work with client agency staff to ascertain relevant facts and prepare draft complaints and other necessary pleadings, motions, briefs, etc.
- Conduct pretrial or prehearing preparation, including depositions and other discovery practice.
- Appear before courts and administrative tribunals and present oral arguments.
- Prepare and present testimony and documentary evidence at trial and evidentiary hearings.
- Conduct settlement negotiations, prepare proposed settlement documents, and review recommendations with Division Supervisors and client agencies.

Duty 2

General Summary of Duty 2

% of Time 15

Represent the State, and the Departments of Environment, Great Lakes and Energy; Natural Resources; and Agriculture and Rural Development in appellate proceedings before state and federal courts.

Individual tasks related to the duty.

- Analyze legal issues raised, researches the law, and draft briefs (for review).
- Respond to legal questions raised by client agency.
- Analyze legal and factual issues involved in the appeal.
- Review and analyze lower court or agency records.
- Research applicable law.
- Prepare briefs and other necessary pleadings for filing in appellate courts.
- Review and obtain approval of draft briefs and other written documents with Division supervisors and the Solicitor General.
- Prepare and present oral arguments before appellate courts.

Duty 3

General Summary of Duty 3

% of Time 20

Provide general legal guidance to the State, and assigned departments.

Individual tasks related to the duty.

- Learn the statutory and administrative authority and practices of the Division's client agencies.
- Respond to formal and informal requests for legal advice from client agency staff.
- Analyze the factual and legal issues surrounding the legal assignment.
- Conduct thorough legal research related to assignment.
- Review legal conclusions and advice with Division Supervisors, as appropriate.
- Prepare written memoranda of advice to the client.
- Provide legal advice and review to client regarding legal aspects of draft memoranda or other documents prepared by client agency staff.
- Advise client agencies on the construction, implementation, and enforcement of statutes and rules.

Duty 4

General Summary of Duty 4

% of Time 5

Draft legal opinions of the Attorney General.

Individual tasks related to the duty.

- Review assignment with Division Supervisors, Opinion Review Board, and, as necessary, person(s) who made request in order to appropriately state the legal issue(s) presented.
- Thoroughly research relevant law.
- Prepare draft opinion in accordance with departmental standards.
- Review draft opinion with Division supervisors and Opinion Review Board and perform further research and/or revisions as directed.

Duty 5

General Summary of Duty 5

% of Time 5

Provide oral and written responses to citizen inquiries or requests for assistance.

Individual tasks related to the duty.

- Identify factual and legal issues related to citizen inquiries and requests for assistance in matters related to Division assignments.
- Provide initial response to telephone inquiries or requests.
- Refer citizens to other governmental agencies responsible for the issue(s) and/or other resources, as appropriate.

Duty 6

General Summary of Duty 6

% of Time _____

Individual tasks related to the duty.

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16. Describe the types of decisions you make independently in your position and tell who and/or what is affected by those decisions. Use additional sheets, if necessary.

Exercises considerable independent judgment in: (a) developing and implementing litigation strategy on a day-to-day basis; (b) negotiating with opposing counsel on matters short of ultimate settlement issues; (c) providing informal advice to client agency staff; and (d) handling citizen inquiries. In general, the degree of independence will vary with the complexity of the case and the magnitude of the environmental and monetary issues at stake.

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

Matters requiring review by the Supervisor include: final versions of pleadings, motions, briefs, and settlement agreements; final drafts of formal written memoranda of advice to clients; final drafts of proposed Attorney General opinions.

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.

Job duties are performed primarily in an office setting which may require long periods of computer and office equipment usage. Travel may be involved. Lifting of heavy and/or large case files or brief cases may also be involved.

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>

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?

23. What are the essential duties of this position?

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. Represent the State, and assigned departments in civil, administrative, and appellate proceedings involving the enforcement of state environmental and natural resource laws. Provide oral and written guidance to client agencies on environmental, natural resources, and agriculture matters.

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 lawyer serving in this position is a staff attorney providing legal services to the Departments of Environment, Great Lakes and Energy; Natural Resources; and Agriculture and Rural Development.

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:

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 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