

**Position Code**

1. ATTYSP1

**State of Michigan**  
**Civil Service Commission**  
Capitol Commons Center, P.O. Box 30002  
Lansing, MI 48909  
**POSITION DESCRIPTION**

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>2. Employee's Name (Last, First, M.I.)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>8. Department/Agency</b>                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Attorney General                                                                        |
| <b>3. Employee Identification Number</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>9. Bureau (Institution, Board, or Commission)</b>                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Environment and Government Operations                                                   |
| <b>4. Civil Service Position Code Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>10. Division</b>                                                                     |
| Attorney Specialist - 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Finance                                                                                 |
| <b>5. Working Title (What the agency calls the position)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>11. Section</b>                                                                      |
| State Conduit Authority Specialist 17<br>(formerly Housing Specialist 17)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Conduit Authority                                                                       |
| <b>6. Name and Position Code Description of Direct Supervisor</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>12. Unit</b>                                                                         |
| Michael Fobbe, Attorney Administrator-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                         |
| <b>7. Name and Position Code Description of Second Level Supervisor</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>13. Work Location (City and Address)/Hours of Work</b>                               |
| John Millhouse, Attorney Administrator-2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 525 W Ottawa St, Williams Building, Lansing, MI<br>Monday-Friday 8:00 a.m. to 5:00 p.m. |
| <b>14. General Summary of Function/Purpose of Position</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                         |
| <p>Functions as a legal specialist in the area of state conduit authority finance, specializing in transactions that finance housing, school, hospital, municipal, and similar projects. The work involves independently managing a transactional workload comprised of the most complex, varied, sensitive, and difficult legal assignments. Position specializes in programs operated by the Michigan State Housing Development Authority (MSHDA), including general obligation single family and rental housing revenue bonds, pass-through bonds, and multi-family loans, and the Michigan Finance Authority (MFA), including bonding for loans to schools, hospitals, and municipalities.</p> |                                                                                         |

**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 of Duty 1**

**% of Time 65**

This position drafts, reviews, negotiates, and structures the terms and conditions of highly complex financial or contractual transactions on behalf of MSHDA and MFA; requires detailed working knowledge of the IRS Code, SEC Rules, and federal and state securities laws with emphasis on bond and note financings and loan transactions.

**Individual tasks related to the duty.**

- Develop and implement strategies relating to the structure and compliance of proposed MSHDA and MFA contractual or financial transactions under the IRS Code, the SEC, and state and federal law.
- Negotiate, structure, and approve complicated tax-exempt financing of bonds for MSHDA and MFA.
- Analyze novel or hybrid contractual or financial issues requiring the application or adaption of legal, structural, or financial principles.
- Draft and/or review authorizing resolution and other documents necessary for the approval of transactions at MSHDA and MFA board meetings.

Duty 2

**General Summary of Duty 2**

**% of Time 20**

Participate in analyzing and resolving post-closing questions, implementation issues, and disputes which may arise, as well as other unique questions of interpretation regarding all matters falling within area of specialization, including specialized financing mechanisms for MSHDA and MFA programs and state and federal requirements for bonds, notes, and loans.

**Individual tasks related to the duty.**

- Analyze contractual or financial transactions on a post-closing basis to mitigate disputes and respond to requests for interpretation of transactional documents.
- Initiate and participate in negotiations relating to contractual or financial transactional documents and the settlement or resolution of transactional-based disputes.
- Contribute information, comments, and suggestions as a bond financing resource to attorneys in the State Operations Division and other divisions of the Attorney General Department as they work to develop litigation strategies, and to prepare pleadings during the litigation process.
- Research and analyze highly specialized federal tax law to advise client on permissible uses of bond proceeds.
- Participate in meetings with tax counsel and IRS auditors concerning any ongoing IRS audit of MSHDA or MFA bonds.

Duty 3

**General Summary of Duty 3**

**% of Time 15**

Provide division or department level legal opinions regarding highly complex contractual or financial transactions and documents where no definitive precedent exists; handle special assignments in area of practice including drafting of legislation and legislative amendments; preparation of Attorney General opinions; consultation with legislators, Executive staff, and industry professionals.

**Individual tasks related to the duty.**

- Review and analyze Uniform Commercial Code, IRS Code, SEC Rules, and federal and state securities laws along with MSHDA- or MFA-enabling legislation to determine whether newly proposed projects may legally be financed and devise strategies for successful implementation among various state departments.
- Utilize skills in state and federal tax and securities laws to draft legal opinions on the propriety of MSHDA and MFA transactions.
- Communicate creatively and effectively to consult with the finance professionals in crafting transactions that meet the clients' objectives.

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

Independently develop and negotiate complex legal documents for assigned areas of work; negotiate complex document terms; determine statutory or other authority for innovative/hybrid transactions or actions proposed by client agency; determine the applicability of provisions of the Internal Revenue Code and related regulations, as well as state laws, to factual situations presented by assigned transactions.

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

Supervisory input is sought where the decision on a legal or policy question will create a precedent affecting either the activities generally of this division or may affect other clients assigned to the division; decisions on unusual federal tax matters; decisions relating to the legal powers of a client department or authority that are not routine or that could require an Attorney General opinion; and, decisions that may be of concern to a client or an affected third party.

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

Normal physical effort associated with providing professional legal services, including operating various office equipment (copier, FAX, telephone, etc.), extensive use of computer equipment, extensive verbal communication face-to-face or via telephone or e-mail, carrying or otherwise transporting large volumes of documents, etc. The work may require travel both in and out of state. The environment is typically an office.

**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. (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. This position's responsibilities 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.      |

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

Yes. Existing position.

**23. What are the essential functions of this position?**

To serve as an attorney specialist in the transactional area of state and conduit authority finance, especially tax-exempt and/or taxable bonding by MSHDA and MFA, including general obligation single family and rental housing revenue bonds, pass-through limited obligation bonds, and multi-family loans, and limited obligation bonding for loans to schools, hospitals, and municipalities. Detailed knowledge of federal and state securities laws, and federal regulatory requirements is required.

Regular in person attendance on assigned days is an essential function of this position.

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

Position description focused on finance transactions and related work for Michigan State Housing Development Authority (MSHDA) but position description has been expanded to include similar duties and responsibilities for finance transactions and related work for Michigan Finance Authority (MFA).

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

The Finance Division acts as general counsel and transactional counsel for the State and its constituent bond authorities as well as the State of Michigan Retirement Systems. This position, under the direction of the Section Head, First Assistant, and/or Division Chief, handles complex, unique, and highly specialized housing bond transactions and multi-family loans in conjunction with the programs of MSHDA and bond and loan transactions to finance projects of schools, hospitals, and municipalities through MFA programs.

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

**EDUCATION:**

Juris doctorate from an accredited school of law.

**EXPERIENCE:**

Minimum of two (2) years of experience in the Department of Attorney General in MSHDA and MFA programs and borrowings or equivalent experience gained outside of the Department and Division.

**KNOWLEDGE, SKILLS, AND ABILITIES:**

Knowledge and skill in transactions-based legal work; thorough knowledge of the specialized area of municipal borrowings, real estate, and housing experience; ability to work well with others; ability and skill in communicating both orally and in writing at a level appropriate to the "target audience;" skill and ability in multi-tasking and setting priorities; knowledge of the operations and structure of the department and client department(s); ability to function in the role necessitated by the circumstances of the assignment (e.g., function as lead attorney or member of a team; carry out assignments even if not in total agreement with a client position taken; respectful of client relationships, etc.).

**CERTIFICATES, LICENSES, REGISTRATIONS:**

Membership in good standing in 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.*

*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**

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

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

\_\_\_\_\_  
Appointing Authority Signature

\_\_\_\_\_  
Date

**TO BE FILLED OUT BY EMPLOYEE**

*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's Signature

\_\_\_\_\_  
Date

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