

**State of Michigan
Civil Service Commission**

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

Position Code

1. DEPSPL2K47N

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 DNR-NATURAL RESOURCES
	9. Bureau (Institution, Board, or Commission)
4. Civil Service Position Code Description DEPARTMENTAL SPECIALIST-2	10. Division Executive Division
5. Working Title (What the agency calls the position) Legal Policy Specialist	11. Section Legislative and Legal Affairs Office
6. Name and Position Code Description of Direct Supervisor GERRING, JOEL; State Administrative Manager-1	12. Unit
7. Name and Position Code Description of Second Level Supervisor BRUNET, CRAIG A; STATE OFFICE ADMINISTRATOR 17	13. Work Location (City and Address)/Hours of Work 525 W. Allegan St. Lansing, MI 48933 / Monday - Friday, 8:00 am - 5:00 pm

14. General Summary of Function/Purpose of Position

The Legal Policy Specialist will perform legal research for the department. Will draft referrals for assistance by Attorney General's (AG) office when legal research question is beyond the scope of the position. Will serve as the Regulatory Affairs and Hearings Officer for the department. Will be responsible for reviewing all contracts, Memorandums of Understanding (MOU), Memorandums of Agreement (MOA), Data Sharing Agreements, and Cooperative Agreements for the department. Will provide legal assistance to the department's tribal liaison as needed to assist in negotiations and consultations with tribal governments. Position's work will include being familiar with all official agreements and decrees between the state and tribal governments. Person in this position will participate in meetings to support or on behalf of the Director of the Legislative and Legal Affairs Office (LLAO) as requested by the director of LLAO.

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: 50

Provide expertise regarding legal issues related to natural resources management by reviewing and researching legal issues pertaining to natural resources law and provide legal guidance regarding an array of natural resources issues to assigned department divisions.

Individual tasks related to the duty:

- Provide expert legal guidance and make legal recommendations based on result of research.
- Provide research, review, and legal guidance regarding proposed amendments to Land Use Orders of the Director (LUOD), Wildlife Conservation Orders (WCO), and Fisheries Orders (FO) for legal authority, enforceability, and conflict with any other laws or orders prior to execution by the Natural Resources Commission (NRC) or the director.
- Review, conduct research, compile background data for other legal issues.
- Draft and review agreements such as MOUs, MOAs, contracts, releases, and Data Sharing Agreements that divisions enter into with internal and external entities.
- Draft referrals, in conjunction with the legal advisor, to request AG office assistance with legal research questions beyond the scope of the position.
- Serve as a liaison between the department and the AG office, and work collaboratively with the assistant attorney general assigned to natural resources issues related to NRC, LUODs, WCOs, FOs, and research referrals that the legal policy specialist drafted for referral.

Duty 2

General Summary:

Percentage: 20

Serve as the department's Regulatory Affairs Officer and Hearings Officer.

Individual tasks related to the duty:

- Serve as the department's Regulatory Affairs Officer, providing oversight for rule making process, including creation of new rules and policies, amending current policies and policies, and rescinding current rules and policies. This includes scheduling and running public meetings per requirements and working with the department's legislative liaison for any hearings that go before the Joint Committee on Administrative Rules regarding changes to administrative rules, policies, and procedures.
- Coordinate and submit department's Annual Regulatory Plan for rulemaking to the Administrative Rules Division in the Michigan Office of Administrative Hearings and Rules.
- Serve as the department's hearing officer in informal hearings and contested cases involving licenses and permits denied, suspended or revoked by the divisions.

Assist assistant AGs assigned to contested case proceedings by reviewing case documents, preparing witnesses, coordinating discovery, and attending meetings and hearings as needed.

Duty 3

General Summary:

Percentage: 20

Special projects, research and other assignments.

Individual tasks related to the duty:

- Complete special projects, conduct research, and perform other assignments as requested by supervisor.
- Participate in meetings to provide legal support as needed to staff, the director of LLAO, or to represent the director of LLAO, where department requires legal support from LLAO with internal or external entities.
- Conduct legal research using Westlaw Next; provide legal guidance to the divisions, the director of LLAO, or others in the department's Executive Division for ongoing legal matters; and recommend conclusions for these legal matters.
- Analyze department operations and recommend modification of policies and procedures.
- Interpret existing proposed law, policies, and procedures as they relate to department objectives and provide legal advice.

Duty 4

General Summary:

Percentage: 10

Provide legal research and review support for the department's tribal liaison.

Individual tasks related to the duty:

- Perform research related to tribal, treaty, and consent decree matters.
- Participate in internal meetings related to tribal negotiations.
- Facilitate information gathering from department staff to tribal liaison.
- Review litigation filings related documents.
- Communicate with AG office regarding tribal, treaty, and consent decree matters.

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

Determine that the process and requirements relating to promulgation of administrative rules have been met the department staff, that all requirements documents for the promulgation of administrative rules are submitted within the guidelines; that appropriate dates and times for public hearings are set; that the location, content and conduct of public hearings are appropriate; and take into consideration that legislators, general public, department staff and management and budget may all be affected.

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

Approval of documents that are submitted to Executive Division. Approval of travel.

May require direction from supervisor in determining/clarifying management objectives, priorities, and complex statutes.

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.

This is a standard office environment using a computer most of the day. Standing, stooping, walking, sitting, kneeling, bending are all required to successfully complete the tasks of this position.

Inflexible deadlines demand the ability to work under pressure. Responses to a variety of questions from diverse groups requires patience, understanding, and the ability to communicate in a clear and effective manner.

Some travel, including overnight, is required.

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.

Additional Subordinates

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

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|---|--|
| ☐ 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?

The Legal Policy Specialist will perform legal research for the department. Will draft referrals for assistance by Attorney General's (AG) office when legal research question is beyond the scope of the position. Will serve as the Regulatory Affairs and Hearings Officer for the department. Will be responsible for reviewing all contracts, Memorandums of Understanding (MOU), Memorandums of Agreement (MOA), Data Sharing Agreements, and Cooperative Agreements for the department. Will provide legal assistance to the department's tribal liaison as needed to assist in negotiations and consultations with tribal governments. Position's work will include being familiar with all official agreements and decrees between the state and tribal governments. Person in this position will participate in meetings to support or on behalf of the Director of the Legislative and Legal Affairs Office (LLAO) as requested by the director of LLAO.

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

The position is being amended to focus more time and effort to serve as the RAO, hearings officer, and to provide internal legal research to department divisions. Other items have been removed from this position and will be transitioned to the new legal advisor position related to additional interactions with the AG office, specifically serving as the litigation coordinator.

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

The LLAO is the department's internal resource team dedicated to assist on legislative and legal matters.

The legal policy specialist's function provides review of WCOs and FOs to ensure proper legal authority, enforceability, and compatibility with existing laws before orders are put into effect, and because of this necessary review, is properly housed within the Legislative and Legal Affairs Office of the Executive Division. The Legal Policy Specialist serves as the department hearings officer in contested cases involving licenses and permits, denied, suspended, or revoked by the assigned divisions.

The position will conduct research and compile background data on an array of natural resources legal issues, provide legal guidance regarding an array of natural resources issues, serve as a legal expert, and liaison between assigned divisions and the AG office on matters the Legal Policy Specialist is managing.

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

EDUCATION:

Possession of a bachelor's degree in any major.

Preferred: Advanced or additional legal education, including, Juris Doctorate, Master of Legal Studies, or Paralegal certificate.

EXPERIENCE:

Departmental Specialist 13 - 15

Four years of professional experience, including two years equivalent to the experienced (P11) level or one year equivalent to the advanced (12) level.

Preferred: One year of legal experience.

KNOWLEDGE, SKILLS, AND ABILITIES:

Ability to prioritize work and meet deadlines.

Ability to communicate both orally and in writing with individuals of all levels and capabilities.

Ability to work independently with limited supervision.

Knowledge of principles and practices of research and analysis.

Ability to interpret laws, rules, and regulations relative to work.

Ability to learn and utilize existing and new computer process, platforms, and software.

Knowledge of the legislative process and governmental organization and structure.

Ability to establish program or service procedures, policies, or guidelines, and to relate to these objectives.

Ability to organize, evaluate, and present information effectively.

Ability to formulate plans, procedures, and controls in a program or service area.

Ability to maintain favorable public relations.

Ability to use sound judgement and provide guidance to internal and external entities.

CERTIFICATES, LICENSES, REGISTRATIONS:

Preferred: Juris Doctorate and good standing with State Bar of Michigan, Paralegal Certificate, or other advanced legal studies education.

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.

N/A

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

LAUREN FELDPAUSCH

Appointing Authority

10/4/2024

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