

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

Position Code 1. DEPSPL2

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 AGRICULTURE AND RURAL DVLPMNT
3. Employee Identification Number	9. Bureau (Institution, Board, or Commission)
4. Civil Service Position Code Description Departmental Specialist-2	10. Division Executive Office
5. Working Title (What the agency calls the position) Legal Specialist	11. Section Office of Legal Affairs and Emergency Management
6. Name and Position Code Description of Direct Supervisor DEACON, BRADLEY N; STATE OFFICE ADMINISTRATOR	12. Unit
7. Name and Position Code Description of Second Level Supervisor BORING, TIMOTHY J; DIRECTOR	13. Work Location (City and Address)/Hours of Work 525 W Allegan St, Lansing, MI 48933 / Hours; M – F 8:00 am to 5:00 pm

14. General Summary of Function/Purpose of Position

This position functions as the legal specialist for the department and is responsible for providing specialized guidance and knowledge on complex administrative law issues, including rulemaking, information sharing agreements and protection of data, interagency or public agreements and memoranda of understanding, and freedom of information requests. This position requires independent judgment and discretion, as well as advanced knowledge of applicable areas of law, and therefore requires a Juris Doctor degree. This position is responsible for managing these kinds of legal needs that impact the Michigan Department of Agriculture and Rural Development leadership and staff, especially those subject matters listed above.

The position serves as the Deputy Regulatory Affairs Officer by drafting new rules and proposing updates to existing rules, completing regulatory impact statements, arranging public hearings, and tracking the entire rulemaking process department wide. The position oversees tracking and release of litigation holds and tracking of subpoenas and supports the Department's internal enforcement group by setting meetings and by serving as an informal hearings officer. Other key duties include conducting referenda for the legislatively established commodity groups and serving as a backup when the Director of the Office is unavailable. The position also serves as the Deputy FOIA Coordinator responsible for working with staff throughout the Department by preparing responses, developing estimates, and conducting training.

The Attorney General and designated Assistant Attorneys General provide attorney/client privileged legal advice to state agencies and officers and represent them in court. This position will collaborate with the Department of Attorney General and does not provide those services on behalf of the agency.

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

Staff specialist responsible for providing specialized guidance to MDARD leadership and staff on complex administrative law and other matters related to the department.

Individual tasks related to the duty:

- Provide technical expertise and guidance with the identification and resolution of administrative law issues and concerns relating to agricultural issues, freedom of information requests, information sharing and protection of data, and interagency or public agreements.
- Conduct legal research and analysis. Review and provide guidance on rule making, FOIA, and agreements consistent with applicable statutes and guidance from the Office of the Attorney General for MDARD leadership and staff.
- Technical expert in federal and state laws specific to the program areas of responsibility.
- Develop tools and resource materials to track legal guidance needed by MDARD leadership and staff and coordinate with the Office of the Attorney General.
- Provide legal review and guidance related to administrative rules, legislation, contracts, and policies and procedures that impact MDARD.
- Represent the department at internal and external program and committee meetings.
- Review, prepare and provide guidance on correspondence from the department in matters related to the department.
- Provide assistance to the Attorney General's office on legal matters.
- Perform legal research and analysis of codes, statutes, case decisions, attorney general opinions, administrative rules, and other rulings of law and facts.
- Work closely with the Office of the Attorney General on litigation holds.

Duty 2

General Summary:

Percentage: 15

This position serves as the deputy regulatory affairs officer, coordinating rule promulgation across the Department.

Individual tasks related to the duty:

- Serve as technical expert of rulemaking matters, providing guidance to MDARD programs and divisions.
- Draft new regulations or revisions to existing regulations.
- Complete regulatory impact statements.
- Schedule public hearings including legal notices and collect and assess public comment.
- Track rulemaking progress and manage data in the rulemaking portal for state agencies.
- Work closely with MDARD's Legal Affairs Director to ensure compliance with rulemaking procedures as it relates to MDARD.
- Serve as a liaison with the Michigan Office of Administrative Hearings and Rules (MOAHR) to coordinate and support all phases of the rulemaking process.

Duty 3

General Summary:

Percentage: 15

Provide legal support related to matters of litigation, including record holds.

Individual tasks related to the duty:

- Work directly with the Office of the Attorney General and DTMB to establish, track, and lift litigation holds.
- Track progress on litigation, in coordination with the Director of the Office and the Office of the Attorney General
- Track litigation holds, including releases when litigation is completed.
- Track subpoenas. Assist in just-in-time training support for testimony/deposition subpoenas and with records production for those subpoenas.
- Schedule meetings for the internal enforcement staff group, prepare agendas, track follow-up needs. Chair meetings as needed.
- Serve as an informal hearings officer in licensing and enforcement dispute matters.

Duty 4**General Summary:****Percentage: 15**

This position serves as the Deputy FOIA Coordinator for the Department.

Individual tasks related to the duty:

- Conduct annual internal training, and train new staff on policies, procedures, templates, and the database.
- Review, format, and edit all partial denial and denial responses to ensure accuracy and compliance with FOIA.
- Conduct the annual review of all FOIA responses, note areas for improvement, and assist with records retention requirements.
- Update procedures and policies as needed.
- Serve as a liaison with the Department of Technology, Management and Budget (DTMB) on large or complex (FOIA) requests requiring specialized coordination or technical support.

Duty 5**General Summary:****Percentage: 5**

Commodity Referenda.
Other duties as assigned.

Individual tasks related to the duty:

- Manage referenda for the legislatively established commodity groups, including drafting of notices, press releases, and Director's orders; coordinate with the groups on timelines and mailing lists; coordinate with MDARD Office Services and DTMB on printing and mailing; coordinate with Bureau of Agriculture Development staff and the commodity groups on training; develop and maintain policies and procedures.
- Perform other duties as assigned.
- Support emergency management response.

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

Decision-making required in this position includes legal exercise of a great deal of judgment and discretion in analyzing and applying various federal and state laws to provide guidance that affects complex issues and programs throughout the department. This position will make decisions with financial impacts based on legal cases against the department, which could range into the millions of dollars, along with potential reputational damage if the department loses a court case. These decisions potentially affect the entire department.

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

When the law is silent, no guidelines or instructions are available, or significant ambiguities exist. Highly complex or visible decisions, or those of a particularly sensitive nature.

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 in order to successfully complete the tasks of this position.

Inflexible deadlines demand the ability to work under pressure. Response to a variety of questions from diverse groups requires patience, understanding, and the ability to communicate in a clear and effective manner. Attending, presenting, and facilitating at public hearings and events is part of the job.

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):

Complete and sign service ratings.

Assign work.

N Provide formal written counseling.
N Approve leave requests.
N Approve time and attendance.
N Orally reprimand.

N Approve work.
N Review work.
N Provide guidance on work methods.
N 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?

This position functions as the legal specialist for the department and is responsible for providing specialized guidance and knowledge on complex administrative law issues, rulemaking, information sharing agreements and protection of data, and interagency or public agreements and memoranda of understanding, and freedom of information requests. This position is responsible for responding to the legal needs that impact the Michigan Department of Agriculture and Rural Development leadership and staff.

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

New position.

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

This work area provides support for all departmental legal affairs, compliance, and regulatory work. This work area also provides expertise in Freedom of Information Act compliance and rulemaking for the entire department, as well as enforcement and the highly specialized work of conducting referenda for the legislatively established commodity organizations. This position supports the Director of Legal Affairs / Emergency Management Coordinator in these efforts.

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.

Possession of a Juris Doctorate degree from an ABA accredited school of law is required.

EXPERIENCE:

Departmental Specialist 13

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

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 the work
Ability to learn and utilize existing and new computer processes
Knowledge of the legislative process and governmental organization and structure
Ability to establish program or service procedures, policies, or guidelines, and to relate these to 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

CERTIFICATES, LICENSES, REGISTRATIONS:

Law degree and membership in good standing with State Bar is required.

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.

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

QUINN BENSINGER

1/12/2026

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