

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

Position Code 1. ADMSPLEA64N
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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 CIV RGHT CENTRAL OFFICE
3. Employee Identification Number	9. Bureau (Institution, Board, or Commission) Enforcement
4. Civil Service Position Code Description ADMIN LAW SPECIALIST-E	10. Division Office of Legal Affairs
5. Working Title (What the agency calls the position) Staff Attorney	11. Section
6. Name and Position Code Description of Direct Supervisor BUFORD-KAMERMAN, ALANNAH M; STATE DIVISION ADMINISTRATOR	12. Unit
7. Name and Position Code Description of Second Level Supervisor TREVINO, MARCELINA; STATE BUREAU ADMINISTRATOR	13. Work Location (City and Address)/Hours of Work Detroit/Lansing/Grand Rapids / Monday - Friday

14. General Summary of Function/Purpose of Position

This position functions as a staff attorney providing legal guidance and leadership to Civil Rights team(s) engaged in complaint investigation, Education and Outreach and Partnership initiatives. The position supports the Department's enforcement personnel from the initial contact with a claimant through the authorization of a charge or other case disposition. This position provides legal experience in the education and skill development of Civil Rights enforcement personnel. Incumbent also administratively litigates charges of discrimination brought by the Department. This includes presentation of the case to the hearings officer or administrative law judge, as well as the Civil Rights Commission. Incumbent prepares charges of discrimination, briefs and legal memorandum as required. This position expedites timely processing of cases and administrative litigation. As necessary, the Incumbent will also participate in education, outreach, and partnership initiatives of the Department. As necessary, the position is responsible for processing appeals from claimants who disagree with the Department's decision on a Statement of Concern or certified complaint and seek a review of the decision. This position analyzes reviews and submits a written analysis granting or denying a request for Reconsideration.

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: 35

Participate on Attorney Team, work on special projects as assigned, and perform additional duties as assigned.

Individual tasks related to the duty:

- Collaborate with other attorney colleagues on legal issues and continue skill and issue knowledge development through participation and/or interaction with attorney colleagues.
- Interface as a member of attorney team, with the director, deputies, process manager, among others on complex and/or sensitive issues.
- Attend ongoing legal seminars such as ICLE, State of Michigan Labor and Employment Law, EEOC and HUD trainings to maintain legal expertise.
- Collaborate among attorney team members in researching and analyzing statistical data and identifying emerging issues and trends.
- Collaborate among attorney team members in performing legal research on relevant legislative issues; recommending amendments or legislation and providing supporting materials.
- Assist in supervision of legal interns and externs and in the training of new coach-attorneys.
- Assist in identifying pattern and practice cases, high impact cases, and MDCR initiated complaints.
- In consultation with supervisor(s), prepare background papers in response to legal questions and as policy positions.
- Prepare and conduct training sessions for teams and outside customers.
- Provide information and direction to team member(s) regarding new legal developments that impact MDCR's jurisdiction through monthly updates of staff attorney internal e-mail newsletter.
- Continue legal and professional development.
- Identify resources which can be used to enhance agency and/or individual performance.
- Read publications on national and state human civil rights issues, department memos, position statements, press releases, developments in the civil rights field, and case records.
- Participates in training as assigned.
- Work on special projects as assigned.
- Conducts legal research and analysis as requested by Director of Enforcement and provide written memoranda for investigators on issues related to frequently identified concerns in cases reviewed and/or frequently asked questions.
- Provide information to MDCR customers by way of personal contacts, telephone calls, technical assistance, and presentations.
- Participate in legal seminars and panels, as assigned, to present and explain agency procedures and civil rights law to the public, and to attorneys representing entities covered by such laws.
- Prepare summaries and outlines of cases decided by the Commission and as determined by agency operations.
- Make oral presentations as assigned to various MDCR colleagues and public groups. Prepare legal summaries and analytical summaries.
- Prepare summaries of civil rights cases and other legal development for distribution to staff and commissioners. Identify and develop issues for development of rules and guidelines; and prepare supporting materials.
- Serve on committees created by the Director and/or other executives to further MDCR objectives and goals.
- Submit monthly report of status updates regarding cases reviewed for conciliation, conciliations completed, cases reviewed for charge and cases with charges file. Also submit information on any other activities.
- Cover duties assigned to other attorneys on an as needed basis as determined by the department.

Duty 2

General Summary:

Percentage: 30

Represent the agency in the administrative contested hearings process. The primary goal of this duty is the representation of the State's and Department's interests in the post investigation process from issuing the charge through presentation to the Commission. The civil rights mission, vision, values, and legal foundation shall guide the incumbent's legal counsel, outreach work, and all other aspects of their work.

Individual tasks related to the duty:

- Review cases which have not been resolved through the conciliation process to determine whether there is legally sufficient admissible evidence to proceed to hearing.
- Draft the analytical memorandum with appropriate recommendations. Where additional evidence is necessary; consult with team member(s) where appropriate.
- Subsequent to consulting with Civil Rights Representative(s) prepare a final formal agency charge where sufficient evidence is found; prepare witness lists and identify any legal issues which need research and briefing.
- Work with Department's Communications team to ensure all charges become public when filed.
- Attend pre-hearing scheduling conferences and conduct pre-hearing discovery including interrogatories and depositions.
- Recommend appropriate action where sufficient admissible evidence is not present and where its development is unlikely.
- Represent the claimant's and department's interests in adversarial hearings before an administrative law judge or appointed hearing officer with minimal supervision, including hearing preparation and participation, briefs, exceptions and oral arguments.
- Represent the claimant's and department's interests in hearings before the Michigan Civil Rights Commission with minimal supervision, including hearing preparation and participation, briefs, exceptions and oral arguments.
- Conduct final conciliation prior to submitting draft charge.

Duty 3

General Summary:

Percentage: 30

Provide support to the investigative functions of this Department by providing legal counsel to investigators and other staff at all stages of the Department's complaint process. The primary goal of this duty is to guide Civil Rights Investigators to fully investigate and prepare a case for charge where the legal elements can be met, and of equal importance to identify investigations where a legal element cannot be met as early in the process as possible so the investigator may focus on others. The civil rights mission, vision, values, and legal foundation shall guide the incumbent's legal counsel, outreach work, and all other aspects of their work.

Individual tasks related to the duty:

- Counsel intake staff in making appropriate customer assessments.
- Counsel Civil Rights Representatives in identifying jurisdiction, issue identification, analysis of information gathered from respective parties in the informal resolution process, development of appropriate questions for the tailored interrogatory, and development of a case work plan.
- Work with assigned team members to assist in resolution of statements of concern and complaints prior to a determination to proceed to a formal charge.
- Participate in decision making through "case call," an interim step and training tool used by MDCR colleagues to review the accuracy and appropriateness of service delivery.
- Discuss summaries of civil rights cases, and other legal developments with assigned team members.
- Perform appropriate legal research on department cases and issues.
- Review and advise assigned teams on the decisional standards which are appropriate to specific aspects of civil rights laws.
- Coach teams in the settlement of cases, utilizing mediation and negotiation skills.
- Work with assigned team members in a variety of tasks which include but are not limited to: preparation for attendance at a hearing or deposition; organization of pleadings and exhibits; providing summaries of testimonies; witness interviews and preparation; serving of departments orders for witnesses and evidence; taking notes at the hearing; preparing for and attending oral arguments at MDCR meeting, etc.
- Work with and support the assigned Assistant Attorney General on all matters requiring judicial action including, but not limited to, efforts to enforce Department/Commission orders.
- Mentor and train, through classroom and on-the-job training, resolution team members. Identify civil rights legal training needs of individual resolution team members, including the team coordinator.
- Participate with Civil Rights team members and partners in preparing and presenting outreach and education materials to community groups, agencies, businesses and educational institutions.

Duty 4

General Summary:

Percentage: 5

The Reconsideration Unit is responsible for processing appeals from claimants who disagree with the Department's decision on a Statement of Concern or formal complaint and seek a review of the decision. As a Reconsideration Attorney, this position analyzes ,reviews and submits a written analysis and a recommendation to deny or grant the request for Reconsideration. Receives and reviews requests for reconsideration of both final Statements of Concern and investigated complaints, assesses customers' needs, evaluates Department's investigation, and maintains and reports statistics on the appeal process. The incumbent may consult with Civil Rights Representatives, Civil Rights Managers and others on implementation of the reconsideration request under review and process. There is communication by the incumbent with the claimant, respondent, or through their legal counsel and the Attorney General staff. The civil rights mission, vision, values, and legal foundation shall guide the incumbent's legal counsel, outreach work, and all other aspects of their work.

Individual tasks related to the duty:

- Review the complete investigative file or Statement of Concern and/or other relevant documents.
- Evaluate the Department's previous conclusions as contained in the Investigation Report or Statement of Concern and assesses the adequacy of the investigations, the evidence analysis, the completeness of the information, the final determinations, and whether those determinations were properly supported.
- Evaluate any additional information provided by the claimant or other parties and assesses whether it provides legal or factual support for granting the request for reconsideration.
- Determine when the conclusions reached by department colleagues are insufficiently supported by the investigation, where there is legal error, or where supplemental information would change the outcome, any or all of which warrant granting the request for reconsideration.
- Analyze and make recommendations applying the legal theories of discrimination.
- Contact customers and department colleagues to obtain additional information determined necessary to reach a decision on the request for reconsideration.
- Discuss legal analysis and recommendations with relevant staff, and prepare appropriate memoranda.
- Explain Department's reconsideration determinations to customers.
- Upon completing review and making a determination, create written analysis with the recommendation and prepares memoranda supporting recommendation and outlining supplemental actions required if necessary.
- Track all actions related to a reconsideration request by entering them in the Department's data management / case tracking system.
- Consults with supervisor on appropriate cases and/or questions of law.
- Scrutinize requests for reconsideration and determine whether any portion constitutes a FOIA request, and if so collaborates with the FOIA coordinator on the Department's response.
- Obtain additional customer and supporting information as required.
- Determine whether customers' needs might be met by other organizations or agencies and provides referrals when deemed appropriate.
- Operate as a resource for Civil Rights Managers for questions relating to the Reconsideration process.
- Notifies customers of case progress.
- Submits monthly reports of the Reconsideration process and maintains a record which tracks each request for reconsideration and reflects work productivity.
- Observe trends or frequency of specific errors or misconceptions across multiple files and bring them to the attention of the Director of Enforcement for possible training or process update.

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

Decisions regarding jurisdiction, pre-emption, and other defenses to complaints under investigation. Decisions on whether to proceed to administrative hearing with cases which were unsuccessful in conciliation. Strategies for presentation of cases going to hearing affect the department, claimants, respondents, and colleagues directly involved in each case. Conducting and participating in hearings which result in changes in and development of department case law.

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

Recommendations on colleagues' training. Recommendations regarding position on pending civil rights legislation and administrative rules or guidelines, or other legislation affecting the department. Responding to various policy questions and issues. Issuance of the actual charge of discrimination.

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.

Reading, writing, using a computer, electronic mail and telephone and audio-video appliances. Conducting electronic legal research, using a library, driving, and public speaking. Occasionally dealing with irate and threatening persons. Regularly making spontaneous legal arguments and decisions, often under stressful conditions.

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 essential duties of the position are to provide a wide range of legal based activities involving non-attorney Civil Rights Representatives. These include providing legal counsel, drafting legal opinions, charges of discrimination and orders. Also includes significant legal research. The duties also include the representation of claimants at department administrative hearings.

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

The major functions of this position remain the same however the division of the duties has been updated to reflect the attorney work as a whole, not the individual ways the position may serve. This position will not function as a Reconsideration attorney so specific mention of that has been removed, but the position will continue to assist the unit.

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

The work area is made up of several Administrative Law Specialists. The function of the work area is to provide legal services and legal counsel to department colleagues, the director and commission.

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

EDUCATION:

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

EXPERIENCE:

Administrative Law Specialist 13

No specific type or amount is required.

Administrative Law Specialist 14

One year of professional experience in legal work equivalent to an Administrative Law Specialist 13 or Administrative Law Examiner 13, or as an attorney.

Administrative Law Specialist P15

Two years of professional experience in legal work, including one year equivalent to an Administrative Law Specialist 14 or Administrative Law Examiner 14; or, two years of experience as an attorney.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of the fundamental subjects in law. Knowledge of legal research procedures. Knowledge of the preparation of memoranda of law. Knowledge of legal writing techniques, jargon, and terms. Knowledge of the statutory and regulatory authority, rules and procedures associated with programs adjudicated by the agency board or commission. Ability to write and speak effectively. Ability to present ideas clearly and effectively. Ability to quickly assimilate oral and written data, to analyze facts and draw logical conclusions. Ability to prepare and draft logical and concise written decisions, opinions, orders of law, legislation, policies, and/or procedures. Ability to interpret complex rules, regulations, policies, statutes, case law, and rulings. Ability to maintain records, prepare reports and conduct correspondence related to the work. Ability to maintain favorable public relations.

CERTIFICATES, LICENSES, REGISTRATIONS:

Membership in State Bar of Michigan

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.

BERNITA KISSANE

11/20/2025

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