

**State of Michigan
Civil Service Commission**

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

Position Code

1. ADMEXME

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 LICENSING AND REGULATORY AFF
3. Employee Identification Number	9. Bureau (Institution, Board, or Commission) Michigan Tax Tribunal
4. Civil Service Position Code Description Administrative Law Examiner-E	10. Division
5. Working Title (What the agency calls the position) Administrative Law Examiner	11. Section
6. Name and Position Code Description of Direct Supervisor HALM, PATRICIA; TAX TRIBUNAL CHAIR	12. Unit
7. Name and Position Code Description of Second Level Supervisor SANDOVAL, ADAM M; LEGAL ADVISOR	13. Work Location (City and Address)/Hours of Work 611 W Ottawa / 8-5 Monday–Friday with remote & AWS if applicable

14. General Summary of Function/Purpose of Position

This position presides over administrative hearings in the Small Claims division of the Michigan Tax Tribunal. This role renders decisions that are based on findings of fact and/or legal interpretations and conclusions of law, on occasion, an Administrative Law Examiner may handle some Small Claims cases that are more complex, under the supervision of the Tribunal Chair. The Administrative Law Examiner is also responsible for researching relevant law and drafting orders in response to motions filed in assigned cases.

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: 40**

Prepare for and conduct Small Claims Hearings.

Individual tasks related to the duty:

- Prepare for hearing by reviewing case file, researching relevant rules, statutes, and law, preparing Small Claims template.
- Conduct small claims hearings by telephone, virtually, or in-person at various locations throughout the state.
- Administer oaths and affirmations.
- Receive relevant evidence, rule on evidence objections, and identify excluded evidence.
- Dispose of procedural requests or similar matters.
- Regulate participation of parties.
- Question witnesses if necessary or desirable.

Duty 2**General Summary:****Percentage: 40**

Write and issue proposed decisions and orders.

Individual tasks related to the duty:

- Review files, evidence, testimony, and hearing recordings.
- Draft proposed decisions and orders in assigned cases and assist in drafting orders in unassigned cases for Chair's signature.
- Issue proposed decisions and orders within established timeliness deadlines.
- Adhere to format and style guidelines in issuance of orders and opinions.
- Utilize various methods of legal research of legal issues and assist in the development of best practices.
- Research areas of the law that are either in conflict or in which no legal precedent or department policy has been established.

Duty 3**General Summary:****Percentage: 10**

Maintain and track caseload and create required reports.

Individual tasks related to the duty:

- Review and maintain personal tracking spreadsheet to ensure motions and other requests are timely responded to.
- Maintain monthly statistical reports and provide information to legal secretaries and Chairperson about case statistics.
- Maintain and upload Small Claims hearing recordings.

Duty 4**General Summary:****Percentage: 10**

Other duties as assigned.

Individual tasks related to the duty:

- Participate in training, seminars, conferences, and meetings.
- Suggest and make improvements to standard forms and templates.
- Recommend process improvements.
- Collaborate with Administrative Law Specialist team reviewing exceptions to proposed decisions and drafting final opinions for Chair's signature.
- Other duties as assigned.

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

All substantive decisions regarding cases. These decisions are independent of any supervisory individual. Decisions include non-dispositive rulings on motions; evidentiary rulings which occur during hearings; rulings on requests for adjournments, continuances, discovery, and determining credibility of a witness based upon analysis of testimony and demeanor.

These decisions impact the parties to the cases, the State of Michigan, and the general public.

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

1) Decisions that deviate in format/layout/titles from standards.

2) Exceptions from established timeliness standards.

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.

The physical general office environment includes sitting, typing, walking, and lifting light to medium weights. Travel to county offices and other hearing sites with appropriate equipment to conduct in-person hearings is required. Travel must be completed in all weather conditions. Overnight stays may be necessary. Hearings may be also conducted by telephone or videoconference, as directed.

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):

- | | | | |
|----------------------------|------------------------------------|----------------------------|-----------------------------------|
| ☐ N | Complete and sign service ratings. | ☐ N | Assign work. |
| ☐ N | Provide formal written counseling. | ☐ N | Approve work. |
| ☐ N | Approve leave requests. | ☐ N | Review work. |
| ☐ N | Approve time and attendance. | ☐ N | Provide guidance on work methods. |
| ☐ N | Orally reprimand. | ☐ 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?

Conducting administrative tax hearings and issuing proposed decisions.

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

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

The Tribunal is a quasi-judicial administrative agency that functions as a tax court. As a tax court, the Tribunal resolves property and non-property tax appeals through the conducting of hearings and the rendering of written decisions based solely on the testimony provided and documentation timely submitted by all parties in each appeal. Appeals can and are also resolved through the submission of stipulations and the entry of consent judgments or orders of dismissal. The Tribunal is composed of two divisions – the Small Claims Division and the Entire Tribunal. This position is responsible for presiding over hearings in the Small Claims division of the Tribunal.

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 Examiner 13

No specific type or amount is required.

Administrative Law Examiner 14

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

Administrative Law Examiner P15

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

KNOWLEDGE, SKILLS, AND ABILITIES:

Considerable knowledge of administrative law and procedure and the practices and procedures involved in quasi-judicial hearings under the Administrative Procedures Act and federal requirements. Additionally, considerable knowledge of the statutory and regulatory authority, rules, and procedures associated with the Tribunal, especially in the areas of state and local taxation.

CERTIFICATES, LICENSES, REGISTRATIONS:

Must be a member in good standing in the Michigan State Bar Association.

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.

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