

### Class Concept

The overall role of the position involves presiding as a fair and impartial trier of fact over contested claims in all stages of litigation in cases set for trial under The Workers' Compensation Act, The Tort Claims Act (involving Negligence suits against State Departments and Agencies), The Act to Compensate Individuals Erroneously Convicted of Felonies, The Childhood Vaccine-related Injury Compensation Program, The Law Enforcement Officers', Fireman's, Rescue Squad Workers' and Civil Air Patrol Members' Death Benefits Act, The Salary Continuation Plan for Certain State Law-Enforcement Officers Act, and The North Carolina Asexualization and Sterilization Compensation Program. Deputy Commissioners are subject to the Code of Judicial Conduct overseen by the Judicial Standards Commission.

Deputy Commissioners' responsibilities involve professional legal services, including fairly and impartially analyzing disputed facts; researching and applying appropriate legal statutes, rules, and case law; filing written rulings on motions; handling discovery disputes; scheduling and serving trial notices on litigants; managing correspondence with parties and witnesses; holding pre-trial hearings and conferences; determining contested matters are ready for trial; conducting formal trials in courthouses across the state; managing post-hearing deposition issues; filing written opinions/decisions analyzing and adjudicating all contested issues; ruling on proposed settlement agreements and consent orders; and authorizing payment of claims. During the course of the trial, the employee rules on motions, receives evidence into the record, hears sworn testimony presented by attorneys, makes evidentiary rulings, ensures that all disputed facts are reasonably positioned for ultimate resolution, makes factual and legal determinations, and enters final, binding, written judgments determining the liabilities of the parties. Employee may compel the attendance and testimony of witnesses and the production of books, papers, records, and other tangible things. Employee may also exercise authority to assess penalties against non-insured employers and utilize powers of civil and criminal contempt, including the ability to arrest litigants. Work is performed independently under the administrative supervision of the Chief Deputy Commissioner and designated regional office liaisons, and may include additional work projects/responsibilities as assigned by the Chief Deputy Commissioner from time to time.

### Recruitment Standards

#### Knowledge, Skills, and Abilities

- Thorough knowledge of case, statutory, and regulatory law, including but not limited to Chapter 97 of the North Carolina General Statutes (The Workers' Compensation Act) and Chapter 143, Article 31 of the North Carolina General Statutes (The Tort Claims Act).
- Thorough knowledge of judicial and quasi-judicial procedures and rules, including but not limited to the Rules of Civil Procedure and the North Carolina Rules of Evidence.
- Skill in analyzing facts, evidence, and legal documents/instruments.
- Skill in expressing legal interpretations and/or conclusions of law verbally and in writing.
- Ability to conduct oneself in the position in a fair, impartial, ethical, and professional manner.
- Ability to establish and maintain effective working relationships with people from diverse backgrounds.
- Ability to analyze complex legal problems and render formal opinions.
- Ability to interpret and apply laws, constitutional provisions, statutes, administrative regulations, and court decisions to contested cases.

#### Minimum Education and Experience

Licensed to practice law by the North Carolina State Bar and three years of progressively responsible professional legal experience.

#### NOTE

GS 114-2 and 114-6 make it the duty of the Attorney General of NC to represent the State of North Carolina in all litigation unless another statute specifically states otherwise.