

ATTORNEY I

This is the first level of professional legal work in support of the commissions and agencies of the State. At this level positions provide legal support in areas of limited scope and complexity or support higher level attorneys in specific aspects of casework.

Employees perform research, draft legal instruments and documents, represent the agencies in judicial or administrative proceedings, prepare legal opinions on rules and operations of an agency, resolve complaints, and respond to inquiries on legal issues from the public. Employees may argue the more routine cases before the appellate courts, may represent the State on the appeal of criminal cases, and perform related duties as required.

I. DIFFICULTY OF WORK:

Variety and Scope - Employees provide legal advice and support to state agencies with routine questions of law, procedures, and processes. Employees conduct cases and appear before judicial and administrative bodies. Employees also support higher level attorneys in specific aspects of casework by investigation of case facts, research of statutory and case law and in the preparation of pleadings, motions, briefs, or other legal documents for filings pertaining to cases. Employees research legislative history and legal issues for pending legislative recommendations.

Intricacy - Employees determine legalities of procedures, rules, and services of an agency by the research of statutory and case law in the field and respond to agency and public inquiries concerning these legalities, and advise the agency as to its obligation, duties, authority, and liability. Legal research activities for assigned aspects of cases involve the review of the case, determination of its merits and points of law, analysis of pertinent statutory and case law, and development of legal authority to prove the points of law.

Subject Matter Complexity - Work requires an understanding of legal jurisprudence and theory and basic statutory and case law surrounding the field of assignment. At this level work is typically characterized by the analysis of the application of procedures and processes that are specific and detailed in nature.

Guidelines - Rules governing court proceedings and documentation are followed in litigation. Regulations pertaining administrative procedures and the administrative rules associated with an agency are followed for hearings or proceedings of an administrative nature. Internal policies are the basis for the issuance of legal opinions.

II. RESPONSIBILITY:

Nature of Instructions - Employees independently handle all matters that come up in their area of law including responding to inquiries pertaining to law from agency staff or the public and representation of the agency in judicial or administrative proceedings. In support of the broader areas of law, employees work under the supervision of other attorneys who make assignments based on the needs of the investigation of the case at hand.

Nature of Review - Most work is not typically reviewed unless it is performed in conjunction with another attorney or a higher level attorney with ultimate responsibility for a case. Supervision is generally administrative in nature with communication to the supervisor regarding unusual situations and problems requiring discussion.

Scope of Decisions - The opinions, advice, and case decisions may have impact on the agency, the operations or liability of the agency, or on those regulated by the agency or affected by its actions. Opinions of law may impact on rules or procedures of an agency.

Consequence of Decisions - The opinions, advice, and case decisions may affect services of an agency, clients of the agency, or those regulated by the agency or affected by its action. Research or interpretation of case or statutory law may impact on the strategy or tactics in a case.

III. INTERPERSONAL COMMUNICATIONS:

Scope of Contacts - Work requires contact with agency and court officials, agency employees and clients, and attorneys from other state agencies or commissions or private firms representing the clients.

Nature and Purpose - Contact is to gather information and facts pertaining to a case, to research statutory and case law, to discuss agency regulations and case interpretation, to provide guidance on legal problems, to determine appropriate procedures for trial and documentation, and to respond to inquiries regarding the statutes and regulations administered by the agency.

IV. OTHER WORK DEMANDS:

Work Conditions - Work is conducted in a typical office or courtroom setting.

Hazards - Employees are not typically exposed to workplace hazards.

V. RECRUITMENT REQUIREMENTS:

Knowledge, Skills, and Abilities - Knowledge of case, statutory, regulatory, and common law. Knowledge of judicial and quasi-judicial procedures regarding the rules of evidence. Knowledge of the rules of evidence. Ability to perform legal research in accordance with initial guidance as to methods of approach, source materials available, and policy and precedent of the office. Ability to understand and interpret constitutional provisions, statutes, administrative regulations, and precedents. Ability to analyze facts, evidence, and legal instruments. Ability to express conclusions and arguments clearly and logically in oral and written form. Ability to maintain effective working relationships.

Minimum Training and Experience Requirements - Graduation from a recognized school of law.

Necessary Special Qualification - License to practice law in the State of North Carolina.

Special Note - This is a generalized representation of positions in this class and is not intended to identify essential functions per ADA. Examples of work are primarily essential functions of the majority of positions in this class, but may not be applicable to all positions.

Degrees must be received from appropriately accredited institutions.