

I. DESCRIPTION OF WORK

Positions in this banded class perform the full range of legal services for the State. Legal services that attorneys perform as advisors, writers, negotiators or advocates to State clients include: advising clients about their rights and obligations; negotiating on behalf of clients; reviewing and drafting legal documents, memoranda, opinions, legislation, and administrative rules; and appearing before State and federal trial courts, appellate courts and administrative tribunals. Positions in this banded class provide opinions on North Carolina law to public boards and officers who are not clients. Positions provide information to the public about North Carolina law, and where required by statute, maintain and prosecute actions in the name of the State or on behalf of the citizens of the State. Work may include supervision of other attorneys and support staff. Must be licensed to practice law in North Carolina.

II. ROLE DESCRIPTIONS BY COMPETENCY LEVEL

An Attorney progresses through the functional competencies by demonstrating that the attorney has the legal skills and abilities needed to handle increasingly complex legal assignments and cases, and, in fact, is handling increasingly complex legal assignments and cases. The complexity of a legal assignment or cases (and consequently the assigned competency level) is affected and determined by factors such as: the legal issues involved, the existence of defined precedent, and the jurisprudential significance of those issues to the State; public policy concerns and the consequences of an adverse result; the sophistication and number of forums involved; the sophistication and number of parties involved; the number of claims and defenses involved; the complexity and nature of the facts and the need for expert testimony to resolve technical issues; the level of creativity and original thinking required in the analysis of the case; the extent of discovery and pretrial motions; the need for and complexity of a hearing and length of trial to resolve legal or factual issues; and whether the trial is a bench or jury trial.

Contributing	Journey	Advanced
Positions at this level handle beginning level assignments and cases.	Positions at this level handle a full range of assignments and cases.	Positions at this level handle complex assignments and cases.

III. COMPETENCIES

Competency	Definition
Knowledge - Professional	Legal knowledge and the ability to expand that knowledge through research. Knowledge and understanding of the law and legal principles necessary to provide legal services to the State. Knowledge and understanding of developments and trends in areas of practice. Ability to identify and gather information from legal and related sources.
Litigation	Knowledge, skill, and ability necessary to effectively represent the State and clients in litigation in the trial courts and other administrative tribunals.
Appellate Advocacy	Knowledge, skill, and ability necessary to represent the State and clients effectively in the appellate courts.
Counseling and Advising	Ability to provide independent legal advice and counsel. Knowledge of client programs, organization, and culture.
Communication	Ability to convey oral and written information to individuals and groups effectively.
Decision-Making	Ability to identify and understand opportunities, issues and problems in the hearing process. Ability to use effective approaches for choosing a course of action, developing appropriate solutions, and/or reaching conclusions in a hearing. Ability to take action consistent with available facts, constraints, and probable consequences.
Negotiation and Advocacy	Skills and ability needed to effectively develop and present the client's interests in all matters.
Organizational Awareness and Commitment	Understanding of and commitment to your organization's mission, how specific work units function and relate to other units, and the resources available to provide legal services to the State.
Leadership and Collaboration	Skill and ability needed to coordinate, facilitate, and participate in a collaborative approach to the completion of legal tasks or assignments.

Note: Not all competencies apply to every position/employee; evaluate only those that apply. Competency statements are progressive. For positions with some supervision consider the highest level of professional work performed.

IV. COMPETENCY STATEMENTS BY LEVEL

Knowledge – Professional

Legal knowledge and the ability to expand that knowledge through research. Knowledge and understanding of the law and legal principles necessary to provide legal services to the State. Knowledge and understanding of developments and trends in areas of practice. Ability to identify and gather information from legal and related sources.

Contributing	Journey	Advanced
<p>Satisfactory legal knowledge of practice area and procedural knowledge necessary to provide basic legal services to assigned client.</p> <p>Ability to identify legal issues, conduct legal research, and analyze the law.</p> <p>Ability to conduct factual research and gather and analyze information from related sources.</p>	<p>Comprehensive knowledge of the laws and principles governing one or more areas of practice. Ability to follow developments and trends in areas of practice.</p> <p>Ability to conduct legal research and analyze the legal issues in moderately complex issues.</p> <p>Ability to conduct factual research and gather and analyze information from related sources in moderately complex issues.</p>	<p>Highest level of legal knowledge applicable to providing a broad range of legal services to the State. Ability to serve as a professional resource to peers.</p> <p>Ability to conduct legal research and analyze the law in novel or complex issues.</p> <p>Ability to conduct factual research and gather and analyze information from related sources in novel or complex issues.</p>

Litigation

Knowledge, skill, and ability necessary to effectively represent the State and clients in litigation in the trial courts and other administrative tribunals.

Contributing	Journey	Advanced
<i>Strategic Case Planning and Management</i>		
Ability to analyze case, research, plan, develop and execute an effective litigation strategy to achieve desired result.	Ability to analyze case, research, plan, develop and execute an effective litigation strategy to achieve desired result in moderately complex cases.	Ability to analyze case, research, plan, develop and execute an effective litigation strategy to achieve desired result in novel or complex cases.
<i>Initial/Responsive Pleadings</i>		
Able to investigate and draft basic factual and legal claims and defenses.	Able to investigate and draft moderately complex factual and legal claims and defenses.	Able to investigate and draft complex factual and legal claims and defenses.
<i>Discovery</i>		
Ability to draft standard written discovery. Ability to review, analyze and respond to requests. Skill in conducting depositions.	Ability to draft moderately complex discovery requests. Ability to review, analyze and respond to discovery or discovery on moderately complex issues or facts Skill in conducting depositions in moderately complex cases. Able to conduct and respond to discovery of experts. Ability to conduct and respond to discovery in multiple jurisdictions.	Ability to draft discovery requests in novel, complex, protracted or voluminous cases. Ability to review, analyze and respond to voluminous discovery or discovery from multiple parties on very complex issues or facts. Skill in conducting depositions on novel issues or complex cases. Able to conduct and respond to discovery of experts on novel or complex issues. Ability to conduct and respond to complex discovery in multiple jurisdictions.
<i>Motions/Orders</i>		
Knowledge and skills to prepare standard motions and responses. Ability to argue motions. Able to draft orders.	Knowledge and skills to prepare the appropriate motions and responses involving moderately complex cases. Ability to argue motions in moderately complex cases. Able to draft moderately complex orders.	Knowledge and skills to prepare the appropriate motions and responses in cases involving novel or complex facts or issues. Ability to argue motions in novel or complex cases. Able to draft novel or complex orders.

Litigation, cont.

Contributing	Journey	Advanced
<i>Trials</i>		
<p>Ability to formulate case strategy and arguments.</p> <p>Able to prepare and organize witnesses and exhibits.</p> <p>Ability to prepare and organize and conduct witness examinations.</p> <p>Knowledge and skills to conduct trials, including delivering opening statements and closing remarks, jury selection and evidentiary objections, in cases involving limited issues and facts.</p>	<p>Ability to formulate case strategy and arguments in moderately complex cases.</p> <p>Able to prepare and organize witnesses and exhibits in moderately complex cases.</p> <p>Ability to prepare and organize and conduct witness examinations in moderately complex cases.</p> <p>Knowledge and skills to conduct trials, including delivering opening statements and closing remarks, jury selection and evidentiary objections, in moderately complex cases.</p>	<p>Ability to formulate case strategy and arguments in novel or complex cases.</p> <p>Able to prepare and organize witnesses and exhibits in novel or complex cases.</p> <p>Ability to prepare and organize and conduct witness examinations in novel or complex cases.</p> <p>Knowledge and skills to conduct trials, including delivering opening statements and closing remarks, jury selection and evidentiary objections, in novel or complex cases.</p>
<i>Appellate Awareness</i>		
<p>Ability to build and preserve record for further review.</p>	<p>Ability to build and preserve record for further review in moderately complex cases.</p>	<p>Ability to build and preserve record for further review in novel or complex cases.</p>

Appellate Advocacy

Knowledge, skill, and ability necessary to represent the State and clients effectively in the appellate courts.

Contributing	Journey	Advanced
<p>Ability to identify legal issues, conduct legal research, and analyze the law.</p> <p>Ability to establish and present a legal position.</p> <p>Ability to analyze and anticipate areas of strength and weaknesses and ability to tailor presentation of legal position to address potential questions.</p> <p>Ability to prepare persuasive appellate briefs and other appellate documents.</p> <p>Ability to conduct appellate oral argument including the ability to listen, analyze, and respond to questions from the appellate courts.</p>	<p>Ability to conduct legal research and analyze the law in moderately complex cases or issues.</p> <p>Ability to develop advanced legal positions in moderately complex cases in the face of sophisticated opposition or inquiry.</p> <p>Ability to analyze and anticipate areas of strengths and weaknesses and ability to tailor presentation of legal position to address potential questions in moderately complex cases or issues.</p> <p>Ability to prepare persuasive appellate briefs and other appellate documents in cases involving moderately complex facts or issues.</p> <p>Ability to conduct appellate oral argument in cases involving moderately complex facts or legal issues including the ability to listen, analyze, and respond to questions from the appellate.</p>	<p>Ability to conduct legal research and analyze the law in novel or complex cases or issues.</p> <p>Ability to develop advanced novel positions in most complex cases of significant interest, in the face of sophisticated opposition or inquiry.</p> <p>Ability to analyze and anticipate areas of strengths and weaknesses and ability to tailor presentation of legal position to address potential questions in the most complex cases or issues.</p> <p>Ability to prepare persuasive appellate briefs and other appellate documents in cases involving novel or complex facts or issues.</p> <p>Ability to conduct appellate oral argument in cases involving complex or novel facts or legal issues including the ability to listen, analyze, and respond to questions from the appellate courts.</p>

Counseling and Advising

Ability to provide independent legal advice and counsel. Knowledge of client programs, organization, and culture.

Contributing	Journey	Advanced
<p>Understanding of client programs and organizational structure.</p> <p>Ability to effectively respond to questions and inquiries involving well-established legal issues and effectively convey consequences of decisions.</p> <p>Ability to identify legal issues and counsel accordingly.</p> <p>Ability to draft informational letters and advisory letters.</p> <p>Ability to assist client in drafting and reviewing routine documents.</p> <p>Ability to draft technical amendments to existing statutes and rules without altering the fundamental legal framework of the client's program.</p> <p>Ability to develop or update and deliver training programs in established areas of law.</p>	<p>Broad understanding of client programs, objectives, and relationship to other work units within client agency.</p> <p>Ability to find creative solutions to questions and inquiries involving moderately complex legal issues.</p> <p>Ability to understand and anticipate legal issues with significant ramification and counsel accordingly.</p> <p>Ability to draft informational letters, advisory letters, and advisory opinions on moderately complex legal issues.</p> <p>Ability to assist client in drafting and reviewing moderately complex documents and ability to determine the legality of client policies and procedures.</p> <p>Ability to draft amendments to statutes and rules that may alter the legal framework of client programs.</p> <p>Ability to modify, develop, and deliver training programs for public, practitioners, or managers. Ability to set goals and use problem-solving and decision-making skills to assess progress toward client/agency goals.</p>	<p>Comprehensive understanding of multiple clients, multiple programs, or agencies of the State.</p> <p>Ability to find creative solutions to questions and inquiries involving novel or complex legal issues.</p> <p>Ability to understand and anticipate legal issues with major ramification and counsel accordingly.</p> <p>Ability to draft advisory letters and formal opinions on novel or complex legal issues.</p> <p>Ability to assist client in drafting and reviewing complex documents and ability to calculate short term and long term legal impact of documents upon State.</p> <p>Ability to draft statutes and rules, and amendments thereto, which have a broad impact on client programs or create new programs.</p> <p>Ability to identify training needs on emerging issues and develop and deliver programs to public, practitioners, and policy makers.</p>

Communication

Ability to convey oral and written information to individuals and groups effectively.

Contributing	Journey	Advanced
<p>Ability to express basic legal concepts and related facts in a clear, concise, and organized manner.</p> <p>Ability to write clear, concise, and organized legal documents, letters, and memoranda addressing basic legal concepts and facts.</p>	<p>Ability to express moderately complex legal concepts and related facts in a clear, concise, and organized manner. Ability to modify delivery, language, or content to account for the characteristics and needs of the audience.</p> <p>Ability to write clear, concise, and organized legal documents, letters, and memoranda addressing moderately complex legal concepts and facts.</p>	<p>Ability to express novel or complex legal concepts and related facts in a clear, concise, and organized manner. Ability to modify delivery, language, or content to account for the characteristics and needs of the audience. Ability to respond to probing and critical inquiries.</p> <p>Ability to write clear, concise, and organized legal documents, letters, and memoranda addressing novel or complex legal concepts and facts.</p>

Decision-Making

Ability to identify and understand opportunities, issues and problems in the hearing process. Ability to use effective approaches for choosing a course of action, developing appropriate solutions, and/or reaching conclusions in a hearing. Ability to take action consistent with available facts, constraints, and probable consequences.

Contributing	Journey	Advanced
<p>Ability to preside over all aspects of a hearing process involving standard legal issues.</p> <p>Ability to organize, present and draft findings in support of legal conclusions.</p>	<p>Ability to preside over all aspects of a hearing process involving moderately complex cases.</p> <p>Ability to draft decisions and orders in moderately complex cases.</p>	<p>Ability to preside over all aspects of a hearing process involving complex cases. Ability to make decisions which may have program impact.</p> <p>Ability to draft decisions and orders in complex cases.</p>

Negotiation and Advocacy

Skills and ability needed to effectively develop and present the client's interests in all matters.

Contributing	Journey	Advanced
<p>Ability to analyze case or assignment. Ability to research, plan, develop, and execute effective strategy to achieve desired result.</p> <p>Ability to establish and present a legal position.</p> <p>Ability to analyze and anticipate strengths and weaknesses, tailoring presentation of legal position to address potential questions.</p> <p>Ability to participate in alternative dispute resolutions and draft settlement agreements.</p> <p>Ability to negotiate enforceable agreements in legal matters.</p> <p>Ability to listen, analyze, and respond to questions, concerns, and legal arguments of all interested parties.</p>	<p>Ability to analyze case or assignment. Ability to research, plan, develop, and execute effective strategy to achieve desired result in moderately complex legal matters or issues.</p> <p>Ability to develop advanced legal positions in moderately complex legal matters in the face of sophisticated opposition or inquiry</p> <p>Ability to analyze and anticipate strengths and weaknesses and ability to tailor presentation of legal position to address potential questions in moderately complex legal matters.</p> <p>Ability to participate in alternative dispute resolutions, develop creative solutions, and draft settlement agreements in moderately complex legal matters.</p> <p>Ability to negotiate enforceable agreements in moderately complex legal matters.</p> <p>Ability to listen, analyze, and respond to questions and concerns of all interested parties in moderately complex legal matters.</p>	<p>Ability to analyze case or assignment. Ability to research, plan, develop and execute effective strategy to achieve desired result in novel or complex legal matters or issues.</p> <p>Ability to develop advanced novel positions in the most complex legal matters of significant interest to the State, in the face of sophisticated opposition or inquiry.</p> <p>Ability to analyze and anticipate strengths and weaknesses and ability to tailor presentation of legal position to address potential questions in the most complex legal matters.</p> <p>Ability to participate in alternative dispute resolutions, develop creative solutions, and draft settlement agreements in the most complex legal matters.</p> <p>Ability to negotiate enforceable agreements in novel or complex legal matters.</p> <p>Ability to listen, analyze, and respond to questions and concerns of all interested parties in novel or complex legal matters.</p>

Organizational Awareness and Commitment

Understanding of and commitment to your organization's mission, how specific work units function and relate to other units, and the resources available to provide legal services to the State.

Contributing	Journey	Advanced
<p>Basic understanding of role in the work unit and services provided to the client.</p> <p>Basic understanding of and ability to utilize resources within the work unit.</p> <p>Basic understanding of and adherence to office or program policies and procedures.</p>	<p>Broad understanding of the role of the division and services provided to the client.</p> <p>Broad understanding of and ability to utilize resources within the division.</p> <p>Broad understanding of and adherence to office or program policies and procedures.</p>	<p>Comprehensive understanding of the role of the agency and services provided to the client and State.</p> <p>Comprehensive understanding of and ability to utilize resources within the agency and other State agencies.</p> <p>Comprehensive understanding of and adherence to office or program and State policies and procedures.</p>

Leadership and Collaboration

Skill and ability needed to coordinate, facilitate, and participate in a collaborative approach to the completion of legal tasks or assignments.

Contributing	Journey	Advanced
<p>Ability to direct and guide personnel assigned to assist the attorney in the handling of a legal assignment or case. Ability to review work completed and provide feedback in a constructive manner.</p>	<p>Ability to coordinate and facilitate work teams consisting of two or more attorneys or other specialists assigned to handle moderately complex cases. Ability to determine skills and abilities of work team, monitor process, and ensure objectives are accomplished.</p> <p>Ability to share knowledge and serve as a coach or mentor to other attorneys.</p>	<p>Ability to coordinate and lead work teams assigned to handle novel or complex cases.</p> <p>Ability to serve as the lead attorney in one or more programs. Ability to influence and direct legal services and advice provided by the work unit.</p>

V. MINIMUM TRAINING & EXPERIENCE

Licensed to practice law in the State of North Carolina.

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