

**DESCRIPTION:** Under general supervision, provides professional legal services for an agency with a moderately difficult body of law in the research, administration, and enforcement of an agency's statutory authority and obligations; performs related work as assigned.

**DISTINGUISHING CHARACTERISTICS:** (A position is assigned to this class based on the scope and level of work performed as outlined below.)

This is the second level in the five level Attorney series (Attorney I, Attorney II, Attorney III, Agency Assistant Legal Counsel, and Agency Legal Counsel). Positions in this series provide legal services to agencies/clients, based on admission to the Nebraska Bar, with the level determined by factors such as difficulty of work assigned, and degree of decision-making authority and discretion exercised.

Positions classified to the Attorney II class are responsible to provide the agency legal services regarding a moderately difficult body of law to support the agency OR to serve in the capacity of an agency's hearing officer that does not conform to the job concepts/hallmarks of the Hearing Officer class. Positions classified to the Attorney II level work more independently than those at the Attorney I level.

**EXAMPLES OF WORK:** (A position may not be assigned all the duties listed, nor do the listed examples include all the duties that may be assigned.)

Confers with legal associates, agency staff, local government officials, plaintiffs, defendants, and other interested parties to exchange and prepare information on the facts and status of a case or on other legal and/or administrative actions or issues.

Researches legal precedents, case reports, and other legal documents to collect information for case preparation and to facilitate the administration and enforcement requirements and needs of the agency.

Drafts correspondence, motions, pleadings, findings of fact, conclusions of law, agency rules and regulations, orders, and other legal documents to provide legal assistance to other attorneys or agency management.

Files complaints, orders to show cause, indictments, preliminary motions, and supporting affidavits or briefs to initiate case proceedings.

Develops and conducts questions for direct or cross examinations of witnesses to elicit testimony pertinent to a case in accordance with an established line of inquiry.

Guides technical support and/or legal staff in the legal practices and regulations of the agency to assist in the development of a competent, professional staff.

Prepares legal documents for use by the Attorney General and/or County Attorney's offices in prosecuting civil or criminal cases.

Presents information or testimony at public meetings or judicial or legislative hearings to provide and explain legal and policy information.

Interprets provisions and advises agency staff and interested parties outside the agency regarding court decisions, administrative rules, and other legal statements to respond to inquiries from them and to ensure adherence and compliance by agency staff.

Drafts and analyzes proposed legislation, agency policies, and procedural statements to provide agency management with legal opinions and options.

Represents the agency in administrative hearings related to the enforcement of agency statutes; serves as agency administrative hearing officer; recommends orders; serves as administrative hearing officer in issues involving legal disputes between the agency and persons or parties who are appealing administrative decisions and/or rulings of the agency.

Serves as a deputized County Attorney prosecuting delinquent child support payments, as assigned.

**KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED:** (These are needed at entry level to perform the work assigned.)

Knowledge of: the techniques of preparing/drafting legal documents and forms; the principles and practices of criminal and civil law administration; judicial procedures and rules of evidence; the principles and practices of legal research; the procedures of trial and administrative hearings.

Skill in: preparing summaries, legal analyses, findings, conclusions, briefs, and other legal documents; negotiating and communicating with others sufficient to persuade their acceptance of contentious goals or viewpoints.

Ability to: prepare and communicate in person and by telephone, emails, summaries, and correspondence, the facts and arguments of a case to persuade others to accept the viewpoint presented; interact with legal associates, other government employees, the public, and representatives of parties involved in a case; formulate legal opinions and recommendations based on legal research and investigations; conduct legal research and investigations; prepare drafts of legal documents and forms; identify critical elements of legal questions or issues and select appropriate course of action; interpret and apply statutes, case law, decisions of judicial and administrative hearings, and administrative rules and policies.

**MINIMUM QUALIFICATIONS:** (Applicants will be screened for possession of these qualifications. Applicants who need accommodation in the selection process should request this in advance.)

One year of experience as an attorney practicing law and providing legal services such as preparing cases, advising clients, and/or interpreting laws or administrative policies.

**LEGAL REQUIREMENTS:** (These qualifications are mandated by federal/state laws, statutes, and/or regulations.)

In accordance with Section 7-101, Nebraska Revised, Reissued Statutes of 1943, incumbents in this class must be admitted to the Nebraska Bar.

**SPECIAL NOTES:**

State agencies are responsible to evaluate each of their positions to determine their individual overtime eligibility status as required by the Fair Labor Standards Act (FLSA).