

Click one of these links to see the Job Description for that class:

<b>Job Code</b>	<b>Title</b>
<a href="#">A31111</a>	<a href="#">Attorney I</a>
<a href="#">A31112</a>	<a href="#">Attorney II</a>
<a href="#">G31113</a>	<a href="#">Attorney III</a>
<a href="#">G31114</a>	<a href="#">Agency Assistant Legal Counsel</a>
<a href="#">G31115</a>	<a href="#">Agency Legal Counsel</a>

## Attorney

**A31111 – G31115**

### Attorney I

**A31111**

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

Under direct supervision, provides basic professional legal services support to higher level agency attorneys in the research, administration, and enforcement of an agency's statutory authority and obligations; performs related work as assigned.

This is the first 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 I level primarily assist other more experienced attorneys to support the agencies legal requirements.

**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 cases or on other legal or administrative issues.

Research legal precedents, case reports, and other legal documents in accordance with supervisory instructions to collect information for case preparation and to facilitate the administration and enforcement requirements and needs of the agency.

Participates in the drafting of correspondence, motions, pleadings, findings of fact, conclusions of law, rules, orders, and other legal documents to provide legal assistance to other legal counsels or agency management.

Interprets and explains court decisions, administrative rules, and other legal statements to respond to inquiries from interested parties and to ensure adherence to them by agency staff.

Participates in the review of contracts in reference to statutory authority, legal form, general contract principles, and compliance with specific state and federal regulatory requirements.

Analyzes current and proposed legislation, State/agency policies, and procedural statements to assess their legal appropriateness and impact.

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

Knowledge of: the principles and practices of criminal and civil law administration; judicial procedures and rules of evidence; the principles and practices of legal research; the techniques of preparing drafts of legal documents and forms.

Ability to: prepare and communicate in person and by telephone, emails, technical analyses, and correspondence, the facts and arguments of a case to persuade others to accept the viewpoint presented; prepare preliminary summaries, legal analyses, findings and conclusions, briefs and other legal documents; summarize and exchange legal findings and conclusions; 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; identify critical elements of legal questions or issues; interpret and apply statutes, case laws, decisions of a court/administrative hearing, 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.)

Graduation from an accredited school of law and admission to the Nebraska Bar.

**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.

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## **Attorney II**

### **A31112**

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

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.

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: \(These are needed to perform the work assigned.\)](#)

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.

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## **Attorney III**

### **G31113**

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

Under administrative direction, provides professional legal services for an agency involving a difficult body of law in the research, administration, and enforcement of the agency's statutory authority and obligations; performs related work as assigned.

This is the third 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 III class independently serve as a subject matter expert in a complex body of law, represent the agency at administrative hearings, and, as appropriate, work with County Attorney and/or State Attorney General offices to prepare or try cases going to court. Some positions classified to the Attorney III level negotiate settlements, contracts, and/or other long-term commitments, on behalf of the agency, and/or supervise two or more assigned attorneys.

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 the agency head, other agency administrators, local government officials, associated or assigned agency legal staff members, plaintiffs, defendants, and other interested parties to exchange and prepare information on the facts and status of a case or other legal/administrative actions or issues.

Directs legal research and case investigations to ensure information is collected for case preparation and to facilitate the administration and enforcement of agency statutory authority.

Confers with representatives of the judicial, legislative, and executive branches of State government to share information on legal/program issues or activities and to elicit necessary support for agency priorities and goals.

Advises agency management and other government officials on the stipulations of program legislation and the legal impact of agency plans and operations to assist in the attainment of agency goals and objectives with statutory requirements.

Recommends draft legislation, agency policies, and procedural statements to provide legal or administrative options to agency management in the enforcement of agency statutory authority.

Prepares drafts of correspondence, motions, pleadings, findings of fact, conclusions of law, agency rules and regulations, orders, and other legal documents to provide legal guidance to legal counsels or agency management.

Directs the work activities of assigned legal staff members, as needed, to facilitate the attainment of unit work goals and ensure the consistent application of administrative policies, procedures, standards, and legal requirements.

Represents the agency in administrative hearings related to the enforcement of agency statutes; represents the agency in County or District/Supreme Courts as permitted by the County Attorney or State Attorney General Offices or specific statutory authority.

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

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

Knowledge of: State and/or federal statutory and case law and constitutional provisions pertinent to agency programs; the techniques of preparing or drafting legal document and forms; judicial procedures and rules of evidence; the principles and practices of legal research; the procedures of trial and administrative hearings; the principles and practices of criminal and civil law administration.

Skill in: preparing summaries, legal analyses, findings and conclusions, briefs and other legal documents, negotiating and communicating with others sufficient to persuade their acceptance of contentious goals or viewpoints; analyzing and interpreting various factors, perspectives, and options and applying critical thinking to resolve issues.

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 governmental 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; identify critical elements of legal questions or issues and select appropriate course of action; prepare drafts of legal documents and forms; 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.)

Three years of experience as an attorney practicing law and providing legal services such as preparing and trying 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.

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## Agency Assistant Legal Counsel

**G31114**

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

Under administrative direction, indirectly or directly supervises and manages a large number of Attorneys (15 or more) within a large state agency. Supervises assigned staff engaged in providing legal professional and support services and administers agency attorney workflow. Performs senior administrative and/or professional legal services work for the agency and related work as assigned.

This is the fourth 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 in this class report to the Agency Legal Counsel of a State agency with complex agency programs and complicated legal issues. Positions in this class will directly or indirectly supervise a large number (15 or more) of agency attorneys and is assigned duties which include, but are not limited to, directing work, assigning tasks, mentoring, and training other attorneys. An Agency Assistant Legal Counsel is expected to act on the behalf of the Agency Legal Counsel in his or her absence and will be directly involved in major agency legal issues. Positions classified to the Agency Legal Counsel class are wholly responsible for all legal functions and staff of an agency.

[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.)

Delegates work to staff in appropriate areas and follows up to ensure work is properly performed.

Trains, guides, and mentors assigned legal staff in the policies and procedures of the agency.

Works to maintain and improve the performance of employees by helping them gain exposure to job knowledge and abilities necessary to perform the work in accordance with established performance standards.

Administers personnel policies and procedures by supervising and evaluating the work of agency attorneys; and recommending personnel actions related to employee selection, disciplinary procedures, performance, leaves, grievances, work schedules, and assignments

Directs legal research and case investigations to ensure information is collected for case preparation and to facilitate the administration and enforcement of agency statutory authority.

Confers with representatives of the judicial, legislative, and executive branches of government to provide information on issues or activities and to obtain necessary support for agency priorities and goals.

Advises agency personnel and other government officials on questions of law or administrative policies regarding the operations of the agency.

Provides legal services relating to legislation by guiding and participating in the drafting of legislation; evaluating current or pending legislation; and making recommendations regarding legislation.

Develops and updates an agency's legal services policies and procedures, as directed.

Participates in senior level legal policy making within the agency.

[KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED: \(These are needed to perform the work assigned.\)](#)

Knowledge of: state and federal statutory and case law and constitutional provisions pertinent to agency programs; the techniques of preparing or drafting legal documents and forms; judicial procedures and rules of evidence; the principles and practices of legal research; the procedures of trial and administrative hearings; the principles and practices of criminal and civil law administration; functional relationships and legal processes of the judicial, legislative, and administrative bodies in Nebraska.

Skill in: preparing summaries, legal analyses, findings and conclusions, briefs and other legal documents; negotiating and communicating with others sufficient to persuade their acceptance of contentious goals or viewpoints; supervising attorney staff; prioritizing work; and analyzing and interpreting various factors, perspectives, and options and applying critical thinking to resolve issues.

Ability to: facilitate solutions between multiple parties; prepare and communicate in person and by telephone, emails, summaries, and correspondence; interact with legal associates, other governmental employees, the public, and representatives of parties; formulate legal opinions and recommendations based on legal research and investigations; conduct legal research and investigations; identify critical elements of legal questions or issues and select appropriate courses of action; prepare and examine drafts of legal documents and forms; interpret and apply statutes, case law, decisions of judicial and administrative hearings, and administrative rules and policies; assign and evaluate work of staff.

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

Five years of experience as an attorney practicing law and providing legal services such as preparing and trying cases; advising clients; interpreting laws and administrative policies; including experience supervising other attorneys.

[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.

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## Agency Legal Counsel G31115

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

Under administrative direction, directs and manages the entire legal department and all legal functions within an agency/system. Supervises assigned staff engaged in providing professional legal and technical support services; performs related work as assigned.

This is the fifth 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 Agency Legal Counsel class have responsibility for an agency's entire legal department, functions, and staff and is responsible for legal representation of the agency as a whole

[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 the agency head, other agency administrators, local government officials, assigned agency legal staff members, plaintiffs, defendants, and other interested parties to exchange and prepare information on the facts and status of a case or other legal/administrative actions or issues.

Supervises and directs the work activities of assigned legal staff to facilitate the attainment of unit work goals and ensure the consistent application of administrative policies, procedures, standards, and legal requirements.

Confers with and advises assigned legal staff members to exchange information and/or explain work policies, procedures, and standards and to identify the characteristics and impact of work problems and formulate possible solutions, to ensure adherence to legal standards.

Trains assigned legal staff members in the policies and procedures of the agency legal services function to maintain and/or improve the performance level of employees through exposure to job knowledge and abilities necessary to perform the work in accordance with established performance standards.

Directs legal research and case investigations to ensure information is collected for case preparation and to facilitate the administration and enforcement of agency statutory authority.

Confers with representatives of the judicial, legislative, and executive branches of State government to share information on legal/program issues or activities and to elicit necessary support for agency priorities and goals.



Advises agency management and other government officials on the stipulations of program legislation and the legal impact of agency plans and operations to participate in the attainment of agency goals and objectives with statutory requirements.

Recommends draft legislation, agency policies, and procedural statements to provide legal or administrative options to agency management in the enforcement of agency statutory authority.

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

Represents the agency in administrative hearings related to the enforcement of agency statutes; represents the agency in District/Supreme Court as permitted by the State Attorney General's office or specific statutory authority.

Prepares legal documents for use by the State Attorney General or County Attorney offices in prosecuting civil or criminal cases.

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

Knowledge of: State and/or Federal statutory and case law and constitutional provisions pertinent to agency programs; the techniques of preparing or drafting legal document and forms; judicial procedures and rules of evidence; the principles and practices of legal research; the procedures of trial and administrative hearings; the principles and practices of criminal and civil law administration; functional relationships and legal processes of the courts and legislative/administrative bodies in Nebraska.

Skill in: preparing summaries, legal analyses, findings and conclusions, briefs and other legal documents, negotiating and communicating with others sufficient to persuade their acceptance of contentious goals or viewpoints; supervising a staff of attorneys; prioritizing work; analyzing and interpreting various factors, perspectives, and options and applying critical thinking to resolve issues.

Ability to: facilitate solutions between multiple parties; prepare and communicate the facts and arguments of a case and persuade others to accept the viewpoint presented; interact with legal associates, other governmental 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; identify critical elements of legal questions or issues and select appropriate courses of action; prepare and examine drafts of legal documents and forms; interpret and apply statutes, case law, decisions of judicial and administrative hearings, and administrative rules and policies; assign and evaluate work of assigned staff.

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

Five years of experience practicing law and providing legal services such as preparing and trying cases, advising clients, and/or interpreting laws and/or administrative policies, including one year of supervising other attorneys.

**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.

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**SPECIAL NOTES APPLICABLE TO ALL LEVELS:**

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).

Note: Classification-specification is subject to change. Please refer to the Nebraska State Personnel Job Specification website at <https://das.nebraska.gov/personnel/classcomp/jobspecs/jobspecs.html> to ensure this represents the most current copy of the description.

The following is a summary of changes made to this class specification.

Section	Change Description	Effective Date
Agency Assistant Legal Counsel	Minor wording updates to whole spec	10/30/2023