

**MICHIGAN CIVIL SERVICE COMMISSION
JOB SPECIFICATION**

ADMINISTRATIVE LAW EXAMINER

JOB DESCRIPTION

Employees in this job have responsibility for presiding over administrative law hearings relating to the regulatory authority, rules and procedures of the assigned department or agency. Rendered decisions are based on findings of fact or legal interpretation.

There are five classifications in this job.

Position Code Title – Administrative Law Examiner-E

Administrative Law Examiner 13

This is the entry level. The employee carries out a range of administrative law examiner assignments while learning the methods of the work.

Administrative Law Examiner 14

This is the intermediate level. The employee performs an expanding range of administrative law examiner assignments in a developing capacity.

Administrative Law Examiner P15

This is the experienced level. The employee performs a full range of administrative law examiner assignments in a full functioning capacity. Extensive independent judgment is used to make decisions in carrying out assignments that have substantial impact on services or programs. Availability of guidelines is limited and theories, principles, and practices of the profession must be utilized to determine appropriate courses of action.

Position Code Title – Administrative Law Examiner-A

Administrative Law Examiner 16

This is the senior level. The employee is responsible a majority of the work time for assignments which are recognized by Civil Service as having significantly greater complexity than those assigned at the experienced level.

Position Code Title – Administrative Law Examiner-2A

Administrative Law Examiner 17

This is the advanced or specialist level. At this level, the majority of the employee's assignments involve the adjudication of highly complex and sensitive cases in which the decisions rendered have substantial social, economic, financial or public policy impact.

NOTE: Employees generally progress through this series to the experienced level based on satisfactory performance and possession of the required experience.

ADMINISTRATIVE LAW EXAMINER

PAGE NO. 2

JOB DUTIES

NOTE: The job duties listed are typical examples of the work performed by positions in this job classification. Not all duties assigned to every position are included, nor is it expected that all positions will be assigned every duty.

Conducts hearings for a department, requiring knowledge of the department's programs, regulatory authority and precedent decisions.

Conducts quasi-judicial hearings on disputed questions of fact and/or law.

Conducts pre-hearing conferences to define issues and explore possible areas of settlement or agreement.

Conducts hearings in accordance with the Administrative Procedures Act, relevant statutes and departmental procedures.

Hears testimony of applicants, complainants, respondents and expert witnesses and others; determines relevance of testimony and exhibits.

Creates a complete formal record of facts and documents; reviews files, records and briefs and conducts research to determine applicable statutes and precedent decisions.

Makes Findings of Fact and Conclusions of Law.

Issues final orders or prepares decisions.

Drafts formal hearings procedures.

Drafts and revises regulations; may evaluate proposed legislation for impact on programs.

Maintains records and prepares reports and correspondence related to the work.

Performs related work as assigned.

Additional Job Duties

Administrative Law Examiner 16 (Senior Level)

Performs on a regular basis professional administrative law examiner assignments which are recognized by Civil Service as more complex than those assigned at the experienced level.

ADMINISTRATIVE LAW EXAMINER

PAGE NO. 3

Administrative Law Examiner 17 (Specialist)

Adjudicates on a regular basis professional administrative law examiner cases involving highly complex and sensitive issues of a substantial social, economic, financial or public policy impact on the state, business or citizens. The following standards of both complexity and impact must be met:

1. Complexity of Issues, Legal Problems and Decision Making:

Such factors as the number of issues in dispute, the difficulty or lack of clarity of issues, the absence of specificity in the law or administrative procedures to be applied, or the unavailability of precedent characterize highly complex cases. Hearings that involve more than two parties and multiple positions on issues, or that require the examination of a considerable amount of conflicting, extremely technical information, testimony or evidence may be considered to be highly complex. The size and character of the caseload and existence of external standards in the form of federal or state requirements governing the manner in which hearings are to be conducted and/or the time constraints within which administrative proceedings must occur and decisions must be issued may be additional factors affecting job complexity.

2. The Impact of Decisions:

Decisions that are the final decision of the department, requiring fewer additional levels of administrative body review before appeal to the courts reflect a relatively greater level of responsibility and impact. Decisions that have the effect of establishing precedent may have relatively greater impact than those that do not.

The appointing authority, in certifying the position description, shall indicate whether the job responsibilities assigned satisfy either Part A or Part B of the impact factor as described below.

- (A) Decisions must involve a substantial financial impact on business, government, other groups, or individuals. Collectibility or liability associated with a case routinely exceeds several hundred thousand dollars.

OR

- (B) Decisions having wide social or economic consequence to the people of Michigan, i.e., matters which in respect to any individual citizen may involve only nominal consequences, but whose results, when objectively considered in their aggregate, significantly affect either beneficially or adversely the economic or social welfare of a significant number of the state's citizens, typically measured in thousands.

JOB QUALIFICATIONS

Knowledge, Skills, and Abilities

NOTE: Some knowledge in the area listed is required at the entry level, developing knowledge is required at the intermediate level, considerable knowledge is required at the experienced level, and thorough knowledge is required at the senior and advanced levels.

Knowledge of the fundamental principles and subjects of law.

Knowledge of the nature and use of tools of legal study.

Knowledge of legal research techniques.

Knowledge of what constitutes legal evidence.

Knowledge of the statutory and common law rules of evidence.

Knowledge of administrative law and procedures.

Knowledge of the practices and procedures involved in quasi-judicial hearings.

Knowledge of the statutory and regulatory authority, rules and procedures associated with programs administered by the department.

Ability to conduct quasi-judicial hearings.

Ability to determine pertinent legal principles and standards.

Ability to interpret statutes, court decisions and legal opinions and documents.

Ability to quickly assimilate oral and written data, analyze facts and draw logical conclusions.

Ability to use judgment, tact and discretion.

Ability to prepare accurate, logical and concise written decisions.

Ability to present ideas clearly and effectively.

Ability to maintain records, and prepare reports and correspondence related to the work.

Ability to communicate effectively with others.

Ability to maintain favorable public relations.

Working Conditions

Some jobs require travel.

Some hearings may be held in a correctional facility, mental health facility, social services agency, or hospital facility.

Physical Requirements

None.

Education

Possession of a Juris Doctorate degree from an accredited school of law.

Experience

Administrative Law Examiner 13

No specific type or amount is required.

Administrative Law Examiner 14

One year of professional experience in legal work equivalent to an Administrative Law Examiner 13 or Administrative Law Specialist 13, or one year of experience as an attorney.

Administrative Law Examiner P15

Two years of professional experience in legal work, including one year equivalent to an Administrative Law Examiner 14 or Administrative Law Specialist 14, or two years of experience as an attorney.

Administrative Law Examiner 16

Three years of professional experience in legal work, including one year equivalent to an Administrative Law Examiner P15 or Administrative Law Specialist P15.

Administrative Law Examiner 17

Four years of professional experience in legal work, including two years equivalent to an Administrative Law Examiner P15 or Administrative Law Specialist P15.

Special Requirements, Licenses, and Certifications

Membership in good standing in the Michigan State Bar.

NOTE: Equivalent combinations of education and experience that provide the required knowledge, skills, and abilities will be evaluated on an individual basis.

ADMINISTRATIVE LAW EXAMINER

PAGE NO. 6

JOB CODE, POSITION TITLES AND CODES, AND COMPENSATION INFORMATION

Job Code

ADMLAWEXM

Job Code Description

Administrative Law Examiner

Position Title

Administrative Law Examiner-E
Administrative Law Examiner-A
Administrative Law Examiner-2A

Position Code

ADMEXME
ADMEXMA
ADMEXM2A

Pay Schedule

NERE-076
NERE-077
NERE-078

ECP Group 2
Revised 6/1/06
TeamLeaders