

**MICHIGAN CIVIL SERVICE COMMISSION  
JOB SPECIFICATION**

**ATTORNEY SPECIALIST**

**JOB DESCRIPTION**

Employees in this job function as attorneys in a specialized area of legal practice. The attorneys routinely and regularly handle highly complex, varied, sensitive and difficult legal assignments involving civil, administrative or criminal litigation, or formal legal opinions, regulatory matters and financial or contractual transactions on behalf of the various state agencies whose legal interests are represented by the Department of Attorney General. Positions are (1) designated as specialists by the Appointing Authority; (2) accepted and classified by Civil Service; (3) require advanced knowledge in the field of work; (4) responsible for highly complex assignments; (5) the scope of responsibility is significant; and (6) the job function has considerable impact within the department to client(s) and/or to the public interest of Michigan citizens. Typically, positions in this job do not supervise. All ECP Group 4 positions must be designated as such by the Appointing Authority and approved by Civil Service.

There are two classifications in this job.

**Position Code Title – Attorney Specialist-1**

Attorney Specialist 17

The employee functions as a first-level legal specialist to a section head, 1<sup>st</sup> assistant, or assistant in charge.

**Position Code Title – Attorney Specialist-2**

Attorney Specialist 18

The employee functions as a second-level legal specialist to an assistant in charge or bureau chief.

**JOB CONCEPTS**

Attorney specialist positions are evaluated by the Appointing Authority using an internal review committee process and job factoring system to recommend the appropriate classification level. Civil Service reviews the factors of job responsibility, resource/leadership, scope of legal specialty area, guidelines, and legal precedents, and impact on jurisprudence to determine the classification level. Attorney specialist positions serve as either Litigation Specialists or Transaction Specialists.

Litigation Specialist

This attorney routinely and independently handles the most complex civil, criminal, administrative or appellate litigation in a specialized area of practice within the Department of Attorney General. This complex litigation includes, for

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example, cases which involve multiple jurisdictions, parties, claims, or a combination of each, requiring extensive and complicated pretrial or prehearing practice and trial or hearing strategies; capital criminal offenses or other crimes with potential like sentences; unique or precedential issues pertaining to the civil or criminal law of the state or its licensing or regulatory functions; or extraordinary damages or financial penalties, if liability or responsibility is established.

#### Transaction Specialist

This attorney routinely and independently drafts, reviews, negotiates and authorizes approval of the terms and conditions of the most complex a) bid documents, contracts, leases and purchase or sale documents or b) financial, loan, bond or investment documents in a specialized area of practice within the Department of Attorney General. This specialist is assigned matters which present highly complex legal, financial or technical issues and relationships involving vendors, contractors, lessors, sellers or purchasers, underwriters, trustees, bond counsel, placement agents and other sophisticated finance professionals.

### **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.

#### Litigation Specialist-1

Develops and implements strategies pertaining to litigation, including the assessment of defenses, theories of the case, discovery plan, the credibility of witnesses, the admissibility of evidence, the use of expert witnesses, pretrial and trial motion practice, and other strategies affecting the course of litigation.

Conducts highly complex discovery involving lay and expert witness depositions, and obtaining and reviewing medical, financial, scientific, and other highly complex records necessary to the litigation.

Utilizes expert witnesses from various disciplines on both liability and damages issues.

Conducts highly complex and extensive research on issues for presentation to a court or an administrative tribunal in written form and in oral argument.

Participates in mediation, arbitration, or other alternative dispute resolution proceedings required by a court or an administrative tribunal.

Participates in negotiations, supervised by a court or an administrative tribunal, involving settlement or other issues unique to the litigation such as the presentation of

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confidential or privileged material, protective orders, trial presentation, or jury instructions.

Conducts highly complex pretrial motion practice pertaining to discovery issues, protective orders, temporary restraining orders, preliminary injunctions, dispositive motions, evidentiary issues and motions in limine, for example.

Develops trial strategies including challenges to evidence, the presentation of witnesses, documentary evidence, jury selection, opening statements, closing arguments, trial or hearing motions, and written submissions.

Tries highly complex jury and non-jury trials and/or administrative hearings.

Conducts post-trial or post-hearing motion practice involving the preparation or response to motions for relief from orders or judgments entered in the litigation.

Prepares or responds to appeals from orders and judgments requiring the review and analysis of lengthy transcripts and numerous exhibits and the development of, or response to, highly complex fact and legal issues impacting the state's jurisprudence, or involving constitutional or other challenges to legislation pertaining to the state's regulatory functions, budget or financing, or public health, welfare, or safety.

Presents oral arguments before state and federal courts of appeal and the Michigan Supreme Court in appeals involving issues impacting the state's jurisprudence, or involving constitutional challenges to legislation pertaining to the state's regulatory functions, budget or financing, or public health, welfare, or safety.

**Transaction Specialist-1**

Develops and implements strategies pertaining to the structure and compliance of proposed contractual or financial transactions under state or federal law.

Analyzes highly complex, new or hybrid, contractual or financial transactions which require the application or adaptation of legal, structural, contractual or finance principles.

Conducts highly complex due diligence.

Structures contractual or financial transactions which establish new or unique approaches and techniques to accommodate the needs of the state, its constituent municipalities, state programs and initiatives, and statutory finance authorities.

Handles contractual or financial transactions involving large sums of money affecting the continuing viability of existing programs as well as new initiatives.

Analyzes contractual or financial transactions on a post-closing basis to mitigate disputes and respond to requests for interpretation of transactional documents.

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Handles contractual or financial transactions, which require the application of extensive experience, highly refined skills, analysis, and research, in the application of contractual principles and tax and securities analysis.

Conducts and participates in negotiations relating to contractual or financial transactional documents and the settlement or resolution of transactional or contractual based disputes.

Issues legal opinions on highly complex contractual or financial transactions and documents where there is no definitive precedent.

Conducts highly complex research and provides advice on issues involving constitutional or statutory interpretation relating to state or municipal level financing or contracts and their application to the state agencies' missions, budget, or the public health, safety, and welfare of the people of the state.

Handles contractual or financial transactional matters, which affect the financial solvency of the state, or the extension of contractual, finance and investment programs, which provide statewide networks and access to public debt and investment markets.

Negotiates, structures, and approves multi-state or pooled financing mechanisms, leases for state office buildings, highly complex tax exempt lessor financing or public financing for the provision or construction of state facilities, buildings, prisons, public housing, medical facilities, highway, and student loans.

#### **Litigation Specialist-2 and Transaction Specialist-2**

Coordinates a team of lawyers working on a specific litigation or transaction matter.

Routinely handles legal cases involving unique or precedential issues having a substantial impact on the jurisprudence of multiple clients, the state, or nation.

Serves as lead counsel on class action law suits, anti-trust cases, multi-state cases, or national cases.

Receives special assignments involving highly complex matters or projects.

Serves on cross-jurisdictional or national legal teams.

Makes presentations at multi-jurisdictional or national meetings and seminars.

Ensures that proper methods, procedures, and processes are used by self and others working on a case.

Serves as a mentor to less senior or less experienced attorneys within the department.

Prepares training material and conducts training sessions on particular legal topics.

**JOB QUALIFICATIONS**

**Knowledge, Skills, and Abilities**

**NOTE:** The degree of knowledge required is a function of job complexity, program or specialty scope, and impact which increases with the level of the position.

Knowledge of the law in the assigned specialty area developed through academic training, seminars, and legal work experience in the specialty area.

Knowledge of fundamental subjects in law.

Knowledge of legal research procedures.

Knowledge of the preparation of briefs and presentation of arguments for cases before state and federal agencies and courts.

Knowledge of the practices and procedures of the Department of Attorney General.

Knowledge of applicable court rules, rules of evidence, administrative rules and procedures.

Knowledge of the legal implications and potential liabilities associated with programs administered by the agencies represented.

Ability to communicate effectively, both verbally and in writing.

Ability to use judgment, tact, and discretion.

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

Ability to provide direction to other Attorneys.

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

Ability to coordinate, and function, as a lead attorney or counsel in highly complex cases or transactions.

Ability to maintain favorable public relations.

**Working Conditions**

Some positions require travel.

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**Physical Requirements**

None.

**Education**

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

**Experience**

Five years of post-bar admission legal experience.

**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.

**JOB CODE, POSITION TITLES AND CODES, AND COMPENSATION INFORMATION**

**Job Code**

ATTYSPL

**Job Code Description**

Attorney Specialist

**Position Title**

Attorney Specialist-1

Attorney Specialist-2

**Position Code**

ATYSPL1

ATYSPL2

**Pay Schedule**

NERE-022P

NERE-023P

ECP Group 4  
Revised 6/1/06  
TeamLeaders