

GENERAL DESCRIPTION OF CLASS

The LAW CLERK conducts in-depth legal research in all areas of the law, writes memoranda, trial briefs, and appellate briefs; and if certified, may argue cases before administrative decision makers, the trial court, and the Court of Appeals.

DISTINGUISHING FEATURES

This is a single classification and not currently part of a series of classes.

DUTIES AND RESPONSIBILITIES

Allocation of positions to this class will depend on the total work performed which may include one or a combination of the duties or tasks listed below.

- 1.**Legal Research.** Typical tasks: conducts in-depth legal research utilizing Federal and State statutes and case law, and if possible, utilizing the Westlaw legal computer to obtain citations and copies of related cases. Subject matter varies, but typically involves areas such as constitutional law, criminal law, family law, environmental law, local government law, State and Federal administrative law, business law, law related to statutory interpretation, motor vehicle law, collection law, prisoner grievances, and postconviction release requests.

- 2.**Legal Writing.** Typical tasks: utilizing completed legal research, writes memoranda, trial briefs, or appellate briefs stating the issues, legal reasoning, and conclusions of law to be used in preparing for or arguing a case before administrative decision makers, the trial court, or appellate court, or for use by attorneys in providing legal advice to clients; writes legal abstracts of cases and hearings for publication in legal journals by the attorneys; prepares preliminary drafts of some department opinions or portions thereof.

- 3.**Court Presentation.** Typical tasks: argues motions such as motions for summary judgments or dismissals, before the trial court and argues appeals before the Court of Appeals under the direct supervision of a licensed attorney. (In order to argue cases before the court, the employee must be at least a third-year law student and certified by the court).

- 4.**Special Projects.** Typical tasks: indexes Attorney General opinions, letters of advice, and opinions handed down by the court; writes hearings referee manual; tracks legislation and researches its implications as applicable to particular agencies.

- 5.**Administrative Proceedings.** Typical tasks: interviews witnesses; prepares exhibits, drafts memoranda; presents cases at proceedings (third-year certified clerk only).

RELATIONSHIPS WITH OTHERS

Employees in this class are in regular contact in-person with attorneys, legal librarians, and agency personnel while researching and writing legal documents.

Employees are in occasional contact in-person with outside attorneys, legislators, administrative decision makers, and trial and Court of Appeals judges while arguing cases in court.

SUPERVISION RECEIVED

Employees in this class receive general supervision from a supervising attorney. Work is frequently assigned in writing via a written assignment form. Work is reviewed upon completion for legal sufficiency, accuracy, form, and legal reasoning. In conducting their research, employees use State and Federal statutes, case law, and administrative law.

KNOWLEDGE, SKILLS, AND ABILITIES (KSA)

General knowledge of proper grammar, punctuation, spelling, capitalization, and sentence structure.

General knowledge of legal terminology, concepts, and principles.

Skill in analyzing and interpreting laws, rules, and regulations and applying them to specific situations.

Skill in preparing clear and concise written reports.

Skill in presenting, both orally and in writing, complex ideas in direct, understandable language.

Ability to conduct legal research and apply past legal and administrative decisions, rulings, and principles to specific situations.

Ability to shepherdize cases.

Ability to understand and apply agency rules and regulations to specific situations.

Ability to maintain harmonious working relationships with staff members, attorneys, and the public.

Ability to use the Westlaw legal computer.

Some positions in this class may require one or more of the following:

Ability to argue cases before the court.

Ability to interview witnesses and prepare exhibits for court.

NOTE: The KNOWLEDGE and SKILLS are required for initial consideration. ABILITIES may be required for initial consideration, at any time during the selection process, or during a trial service period as a final stage of the selection process. Some duties performed by positions in this class may require different KSA's. No attempt is made to describe every KSA required for **all** positions in this class. Additional KSA requirements will be explained on the recruiting announcement.

Adopted 1/90

Revised

Examples of work are typical of duties assigned to this class. No attempt is made to describe every duty performed by all positions in this class.