

Effective Date: May 15, 1994
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**STATE OF WISCONSIN
CLASSIFICATION SPECIFICATION**

LEGAL ASSOCIATE

I. INTRODUCTION

A. Purpose and Use of this Classification Specification

This classification specification is the basic authority under s. ER 2.04, Wis. Adm. Code, for making classification decisions relative to present and future paraprofessional staff associate positions that perform a variety of legal office activities for legal counsel and/or staff attorneys. This classification specification is not intended to identify every duty that may be assigned to positions but is intended to serve as a framework for classification decision making in this occupational area.

Classification decisions must be based on the “best fit” of the duties within the existing classification structure. The “best fit” is determined by the majority (i.e., more than 50%) of the work assigned to and performed by the position when compared to the classification concepts and definition of this specification or through other methods of position analysis. Position analysis defines the nature and character of the work through the use of any or all of the following: definition statements; listing of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards, or factors; statements of inclusion and exclusion; license or certification requirements; and other such information necessary to facilitate the assignment of positions to the appropriate classification.

B. Inclusions

These paraprofessional positions provide a wide range and combination of paraprofessional legal office activities for legal counsel or staff attorneys; function as leadworkers for Legal Secretaries; provide paraprofessional assistance to legal counsel and/or staff attorneys and office management as the sole staff person for a majority of time in the local offices of the OSPD faced with handling situations as they arise and making decisions absent any supervisory or office administrator’s input or presence; OR those specialized positions that synopsise unemployment compensation hearings.

C. Exclusions

Excluded from this classification specification are the following types of positions:

1. Positions that meet the statutory definition of supervisor(s) and/or management, as defined in ss. 111.81(19) and (13), Wis. Stats., as administered and interpreted by the Wisconsin Employment Relations Commission.
2. Positions performing confidential legal support duties as defined in s. 111/81(7), Wis. Stats., for legal counsel and/or staff attorneys for a majority of the time and are more appropriately classified as Legal Support Staff-Confidential.

3. Positions that provide general secretarial support duties to legal counsel and/or attorneys for a majority of the time and are more appropriately classified as Legal Secretary.
4. Positions that provide general secretarial support duties for positions other than attorneys for a majority of the time and are more appropriately classified as Secretary or Secretary-Confidential.
5. Positions that perform a wide range of professional paralegal duties for attorneys for a majority of the time and are more appropriately classified as Paralegal or Paralegal-Confidential.
6. All other positions that are more appropriately identified by other classification specifications.

D. Entrance Into This Classification

Entrance into this classification is by competitive examination.

E. Terminology Used in This Classification Specification

1. Paraprofessional: Work that is similar to professional work but does not have the breadth and depth of true professional work. A paraprofessional employee may perform duties that are a narrow, specialized subset of the professional employee's duties. A paraprofessional employee does not perform the full range of duties assigned to professional employees, or performs duties of lesser scope, impact, and complexity than duties assigned to professional employees. Paraprofessional duties tend to support the work of professional employees. A paraprofessional employee may carry out or implement plans or projects that are developed, planned, and managed by professional employees. The paraprofessional employee carries out or implements plans or projects based on extensive experience and supplemental on-the-job training rather than on formal academic education in the discipline itself. Paraprofessional work is performed in a narrow or highly specialized area of the overall occupation and requires a high degree of practical knowledge and skill. The experienced paraprofessional employee often works with considerable independence for significant periods of time. This independence, however, does not alter the nature and character of the work, which is to support a professional discipline.
2. Leadworker: An employee whose permanently assigned duties include training, assisting, guiding, instructing, assigning and reviewing the work of two or more permanent full-time equivalent classified employees in the employee's work unit as assigned and documented on the work unit's organization chart. Leadworkers do not have supervisory authority as defined under s. 111.81(19), Wis. Stats.

Usually, leadworkers will be required to lead the work of two or more employees in order to be credited with leadworker duties. Leadworkers cannot "share" the responsibility of leading the work of employees. For example, if two leadworkers lead the work of one employee each and together jointly lead the work of one more employee, neither position will meet the definition of leadworker. In certain circumstances, leading the work of one other employee can justify leadworker status, if the employees are located in a geographically remote office or are in the field. The classification specification for that class will define the number of employees a position must lead in order to meet the definition of leadworker.

Note: Agencies use a variety of other terms to describe non-supervisory leadership positions such as project manager, project leader, team leader, project team leader, and project coordinator. These terms are not synonymous with leadworker and additional analysis is required to determine if individuals in these roles function as a leadworker. Also, the classification significance of these roles cannot be determined in the abstract and must be evaluated based on the specific class factors and definitions contained in the relevant class specification.

II. DEFINITIONS

LEGAL ASSOCIATE

This is full performance paraprofessional work of considerable difficulty providing assistance to legal counsel and/or staff attorneys. Positions in this classification, for a majority of time: (1) assist in the performance of a broad range of activities under the direction of an attorney(s) on standard, non-controversial cases or where the decisions to be made are standardized or straightforward, including assisting the attorney with trial or hearing preparations, collecting and compiling information and data, reviewing and analyzing facts in connection with litigation, conducting preliminary witness interviews and preparation, conducting legal research on specifically identified issues, reviewing and analyzing legal documents, assisting with the preparation of documents necessary for rule promulgation, providing information to other staff and the general public, and drafting routine legal documents. Some positions may represent the agency before administrative bodies or boards in situations involving a specialized area where issues are clearly defined, narrow in scope, and standardized; **OR** (2) function as leadworkers and coordinate the daily activities of other legal secretaries; **OR** (3) provide paraprofessional assistance to legal counsel and/or staff attorneys and office management as the sole staff person for a majority of time in the local offices of the OSPD faced with handling situations as they arise and making decisions absent any supervisory or office administrator's input or presence; **OR** (4) synopsize unemployment compensation hearing tapes for all areas subject to review by the Labor Industry Review Commission;

Examples of work performed include, but are not limited to:

- Draft a variety of standardized legal documents, such as pleadings, briefs, affidavits, stipulations, motions, releases, interrogatories, summonses, and complaints on non-controversial cases
- Collect and compile data and information necessary to assist in the preparation of answers to interrogatories, complaints, discovery requests, and other legal documents
- Gather and organize information and facts necessary for case investigation, as directed by the attorney
- Identify, locate, and interview witnesses
- Assist with witness preparation
- Prepare and arrange for service of subpoenas
- Identify, gather, organize, and code documents and files in preparation for hearings or trials
- Apprise witnesses and opposing counsel as to hearing schedules
- Review and analyze documents such as complaints, appeals, contracts, agreements, etc., to make preliminary determinations on jurisdiction, timeliness, issues, parties, etc.
- Conduct preliminary research on questions of law for legal staff
- Abridge transcripts and other documents, such as medical evidence
- Prepare statements of facts on the basis of transcripts or other documents
- Review hearing files; organize exhibits, examiner notes, and relevant documentation to prepare synopsis

- Prepare the synopsis by stating the administrative law judge's definition of the issue(s) and preliminary remarks relating to jurisdictional matters or stipulations, paraphrasing entire testimony in first-person narrative style, identify witness and party conducting the examination
- Determine whether testimony can be omitted from the synopsis
- Interpret policies and procedures
- Maintain logging or index systems
- Maintain computerized data bases
- Coordinate case assignments for Administrative Law Judges and attorneys
- Assist with administrative rule revisions, preparation of digests or development of procedural manuals
- Initiate requisitions or recommend acquisition of books, supplies and equipment for the legal office
- Plan and guide activities of staff providing support to attorneys or legal counsel and establish work priorities as lead worker
- Train new employees
- Independently initiate correspondence or inquiries to obtain further information relative to cases or in response to requests for information from the general public
- Establish or revise and implement office procedures
- Prepare reports and maintain records relating to budget, personnel, and administrative matters such as leave slips, travel vouchers, telephone charge sheets, purchase orders, and requisitions
- Ensure office equipment is serviced or maintained
- Monitor budget, invoices, billings, or other expenditures
- Initiate requisitions for services such as court reporting

III. QUALIFICATIONS

The qualifications required for positions allocated to this classification will be determined on a position-by-position basis at the time of recruitment. Such determinations will be based on an analysis of the goals and worker activities performed, and by an identification of the education, training, work, or other life experience(s) which provide reasonable assurance that the knowledge and skills required upon appointment have been acquired.

IV. ADMINISTRATIVE INFORMATION

This classification specification was created effective May 15, 1994, and announced in Bulletin CC/SC-14, in order to describe positions that provide a variety of legal support to legal counsel and/or staff attorneys. The specification was modified effective May 20, 2001, and announced in Bulletin CLR/SC-130, in order to remove reference to confidential positions (see the Legal Staff Support-Confidential classification specification, also created effective May 20, 2001). This classification was again modified effective June 25, 2006, and announced in Bulletin OSER-0106-MRS/SC to include positions formerly described as Legal Secretary Advanced assigned leadworker responsibility and retitle the legal assistant classification as a result of the 2004 Legal Support Staff Survey.

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