

STATE OF WISCONSIN
CLASSIFICATION SPECIFICATION

LEGAL SUPPORT STAFF—CONFIDENTIAL

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 positions that function as Legal Support Staff-Confidential. 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

This classification encompasses support positions which specialize in the provision of legal support to legal counsel and/or staff attorneys. Positions allocated to this classification must meet the statutory definition of confidential, as defined in s. 111.81(7), Wis. Stats.

C. Exclusions

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

1. Positions that do not meet the statutory definition of confidential, as defined in s. 111.81(7), Wis. Stats., as administered and interpreted by the Wisconsin Employment Relations Commission.
2. Positions that do not specialize in the provision of confidential legal support to legal counsel and/or staff attorneys for a majority of the time.
3. Positions that perform confidential professional paralegal duties for a majority of the time and are more appropriately classified as Paralegal-Confidential.
4. All other positions which are more appropriately identified by other classification specifications.

D. Entrance Into This Classification

Entrance into this classification is by competitive examination.

E. Explanation Regarding Confidential Exclusion

The Wisconsin Employment Relations Commission (WERC) has established that in order for an employee to obtain “confidential” status the employee must participate in matters involving the consideration of confidential information relating to labor relations, or must have access to or knowledge of confidential information relating to labor relations. For information to be confidential, it must (a) deal with the employer’s strategy or position in collective bargaining, contract administration, litigation or other similar matters pertaining to labor relations and grievance handling between the bargaining representative and the employer and (b) be unavailable to the bargaining representative. A de minimus exposure to confidential materials is generally insufficient grounds for excluding an employee from a bargaining unit.

II. DEFINITION

LEGAL SUPPORT STAFF-CONFIDENTIAL

This is specialized work related to the provision of legal support to legal counsel and/or staff attorneys in confidential matters relating to labor relations. Positions allocated to this classification perform legal associate duties **OR** legal secretary duties. Work is performed under general supervision.

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

Legal Associate Allocation

- 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 necessary to assist in the preparation of answers to interrogatories, complaints, discovery requests, and other legal documents
- Gather and organize information and facts for case investigation, as directed by the attorney
- Identify and locate witnesses, and assist with the preparation and interviewing of witnesses
- 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, and agreements, to make preliminary determinations on jurisdiction, timeliness, issues, and parties
- Conduct preliminary research on questions of law for legal staff
- Abridge transcripts and other documents, such as medical evidence, and prepare statements of facts on the basis of transcripts or other documents
- Review hearing files and organize exhibits, examiner notes, and relevant documentation to prepare synopsis
- Prepare synopses by stating the administrative law judge's definition of the issue and preliminary remarks relating to jurisdictional matters or stipulations, paraphrasing entire testimony in first-person narrative style, identifying witness and party conducting the examination
- Determine whether testimony can be omitted from the synopsis
- Interpret policies and procedures
- Maintain manual logging or index systems and maintain computerized data bases of case assignments

- Coordinate case assignments for Administrative Law Judges and attorneys
- Assist with administrative rule revisions, preparation of digests, or changes to procedural manuals
- Plan and guide activities of staff providing support to attorneys or legal counsel and establish work priorities as lead worker
- Initiate requisitions or recommend acquisition of books, supplies and equipment for the office
- May perform some legal secretary duties 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
- Confidential - Examples of confidential work: prepare legal documents related to the employer's strategy in collective bargaining, grievance process, or labor relations appeals or complaints where that information is not known to the union representative.

Legal Secretary Allocation

- Type a variety of legal documents, including pleadings, briefs, opinions, orders, affidavits, stipulations, releases, summons, complaints, and other documents such as memoranda, reports, and letters
- Transcribe dictation from notes or machines
- Prepare reports and maintain records relating to budget, personnel, and administrative matters
- Utilize word processing equipment or personal computers to generate reports for transcription or typing or to maintain databases
- Check citations and statute references, and prepare legal appendices
- Answer telephone, respond to routine inquiries, and screen visitors
- Schedule appointments and arrange meetings, and make travel arrangements
- Assign docket numbers and coordinate hearing schedules
- Prepare and maintain case files, client control cards, and records and logs
- Open and close files
- Interpret policies and procedures
- Maintain legal library
- Perform routine filing
- Compile statistical reports and records
- Open, date stamp, sort, and distribute mail
- Copy and arrange exhibits for hearing or trial presentations
- Arrange for printing of records, exhibits, etc., as necessary
- Serve or file legal documents in accordance with various court procedures and regulations
- Update and maintain active list of private bar attorneys for private bar appointments
- Process and record order appointing counsel
- Contact private attorneys for private bar appointments, in accordance with the agency's or work unit's established procedures
- May conduct indigency evaluations in jail or office with prospective clients to determine eligibility for public representation.
- Maintain inventory of supplies for office
- May coordinate material sent to a word processing center
- May perform some legal associate duties

- Confidential - involved in the strategy and defense of discrimination complaints, participates in decisions on employee discipline, or bargaining strategy when that information is not known to the union.

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 was created effective May 20, 2001, and announced in Bulletin CLR/SC-130, in order to describe confidential positions which provide a variety of legal support to legal counsel and/or staff attorneys. This classification replaces the Legal Assistant-Entry and Objective-Confidential and Legal Secretary-Objective and Advanced-Confidential classifications. This classification was created in order to simplify the classification system and to expand the broadband pay system to non-represented classifications. This classification specification was again modified, effective June 25, 2006, and announced in Bulletin OSER-0106-MRS/SC as a result of the 2004 Legal Support Staff survey.

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