

STATE OF WISCONSIN
CLASSIFICATION SPECIFICATION

ATTORNEY- CONFIDENTIAL
ATTORNEY – CONFIDENTIAL/SUPERVISOR
ATTORNEY-MANAGEMENT
ATTORNEY-SUPERVISOR

I. INTRODUCTION

A. Purpose of This Classification Specification

This classification specification is the basic authority under ER 2.04, Wis. Adm. Code, for making classification decisions relative to present and future non-represented positions in the classified service that require a license to practice law in the State of Wisconsin. This classification specification will not specifically identify every eventuality or combination of duties and responsibilities of positions that currently exist, or those that result from changing program emphasis in the future; rather, it is designed 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 class 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; licensure or certification requirements; and other such information necessary to facilitate the assignment of positions to the appropriate classification.

B. Inclusions

This classification encompasses positions that provide professional legal services and meet the definition of confidential, management or supervisor as defined in s. 111.81, Wis. Stats.

C. Exclusions

Excluded from this classification are the following types of positions:

1. Positions that do not require a license to practice law in the state of Wisconsin.
2. Positions that do not meet the definition of management, confidential or supervisor, as defined in s. 111.81, Wis. Stats.
3. All other positions that are more appropriately identified by other classification specifications.

D. Entrance Into These Classifications

Employees enter these classifications by competitive examination.

II. DEFINITIONS

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Positions in these classifications must meet the definition of confidential, supervisor or management as defined in s. 111.81, Wis. Stats., and perform the following illustrative examples of work. The examples are illustrative only and are not intended to be all encompassing.

Advises state agency officials and/or the general public on the interpretation of laws and rules. Counsels state agencies and others on the establishment of agency policies and procedures. Acts as a legal expert and performs specialized legal services relating to one or more areas of law. Assists in the preparation, trial and argument of cases in the various courts. May conduct litigation in state and federal courts, both trial and appellate. Prepares pleadings, briefs and allied court papers, legal opinions, administrative rules, orders and all types of legal documents and memorandums. Analyzes proposed legislative bills, interprets impact, suggests alternatives and may appear before the Legislature to clarify content. Administers oaths, examines witnesses, and issues subpoenas requiring appearance of witnesses and the production of documents. Presides at and conducts formal and informal hearings of varied complexity in connection with the administration of state laws and regulations. Appraises and analyzes facts, evidence and precedents in developing legal issues and in applying legal principles. Advises authors of legislative bills of statutory implications, drafts bills and amendments, resolutions and petitions. Confers with agencies on the preparation and revision of administrative rules.

Representative Positions :

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Wisconsin Employment Relations Commission: Conducts quasi-judicial hearings in unfair labor practice, election/unit clarification and declaratory ruling cases. Prepares findings of fact, conclusions of law and orders; conducts grievance arbitration hearings and issues final and binding awards. Conducts informal and formal investigations (including mediation) into interest-arbitration petitions and prepares certifications of impasse and orders for arbitration.

ATTORNEY-CONFIDENTIAL/SUPERVISOR

Department of Administration: Functions as legal counsel for the agency. Supervises staff attorney, paralegal and support staff. Provides legal advice and opinions regarding administration of agency programs. Represents the agency in legal actions and proceedings. Provides legal advice to boards and commissions administratively attached to the agency under s. 15.03, Wis. Stats., or which are part of or created by the Executive Office pursuant to Chapter 14 Stats. Drafts and reviews legislation and administrative rules affecting the department and represents the department at legislative hearings or other public forums. Gives legal advice and counsel to the Governor's Office, the Lieutenant Governor's Office and the Legislature. Provides legal services relating to issuance of state revenue bonds.

ATTORNEY – MANAGEMENT

Department of Health and Family Services: Manages the Office of Legal Counsel through oversight of one Attorney-Supervisor position and provides legal advice and counsel to the agency Secretary and Division Administrators. Represents the agency before administrative boards and commissions and state and federal courts in matters involving personnel actions, discrimination complaints, damage to agency property, purchase and sale of real estate, taxation, licensing appeals, certification of nursing homes and other health facilities, etc. Coordinates agency legal relationships with other state and federal officials such as general counsels of federal Health and Human Services, the WI Attorney General's Office, the WI Department of Administration, etc. Analyzes, prepares and reviews legislative proposals prepared by the agency or those which may affect the agency. Supervises and manages the Office of Legal Counsel.

ATTORNEY-SUPERVISOR

Department of Workforce Development: Supervises Administrative Law Judge staff and the office manager. Supervises all aspects of a hearing office covering a multi-county area. Oversees the issuance of decisions arising out of disputed matters under the Unemployment Insurance Law, the Trade Readjustment Act (TRA) and the Unemployment Insurance program for federal employees and ex-military employees and other federal programs related to the unemployment insurance program.

Department of Justice: Supervises one of the following units comprised primarily of represented attorney positions within the Department of Justice: Contracts; Commercial and Property; Civil Litigation; Criminal Appeals; Consumer Protection; Employment; Environmental Protection; Consumer Protection; Employment; Environmental Protection; Governmental Operations and Administrative Law; Medicaid Fraud Control; Criminal Litigation and Antitrust.

III. QUALIFICATIONS

The qualifications required for these positions will be determined at the time of recruitment. Such determinations will be made based on an analysis of the goals and worker activities performed, and by an identification of the education, training, work, or other life experience which would provide reasonable assurance that the knowledge and skills required upon appointment have been acquired. All positions require the employee to possess a law to practice law in the State of Wisconsin.

IV. ADMINISTRATIVE INFORMATION

These classifications were created effective June 4, 2000, and announced in Bulletin CLR/SC-112. These classifications replace the Attorney 13-Confidential, Attorney 13-Confidential/Supervisor, Attorney 13 Supervisor, Attorney 13-Management, Attorney 14-Confidential, Attorney 14-Confidential/Supervisor, Attorney 14-Supervisor, Attorney 14-Management and Attorney 15-Confidential, Attorney 15-Confidential/Supervisor, Attorney 15-Supervisor and Attorney 15-Management classifications that were abolished on the same date and announced in the same Bulletin. These classification actions were necessary in order to accommodate the broadband pay structure covering non-represented Attorney positions in the 1999-2001 Compensation Plan.