

CLASSIFICATION TITLE- SUB-TITLE

Legal Associate

Working Title: Clerk of Courts

POSITION SUMMARY

Within the Division of Policy Development, under the general supervision of the Program Assistant Supervisor-Advanced, this position oversees various legal and administrative program functions for the Department, including services rendered for Chief Legal Counsel, prosecuting attorneys, and board legal counsel. Primary responsibilities include reporting, auditing and updating of adverse actions against licensees to data banks administered by Federal agencies and national regulatory organizations, and the analysis, drafting, service and processing of legal documents in support of board actions and judicial reviews.

(Rated PD Only)

TIME %

GOALS AND WORKER ACTIVITIES

55%

A. Provide paraprofessional legal support within the Division of Policy development to a variety of legal programs within the Department including support to Chief Legal Counsel, prosecution attorneys and board legal counsel

- A1. Apprise administrative law judge, prosecuting attorneys, board legal counsel and Respondent and/or Respondent's attorney as to the due dates for filing legal documents in disciplinary proceedings pursuant to state administrative code, status of cases in hearing and under judicial review, and coordinate the transfer of case files.
- A2. Draft Orders Fixing Costs including the calculation of the cost to be imposed upon Respondent. Provide notice to the Respondent and/or Respondent's attorney of the costs and right to file objections.
- A3. Review hearing file, compile administrative record, and prepare the synopsis of the hearing file for disciplinary cases subject to judicial review; and prepare and certify the administrative record for submission to the Court and Department of Justice (DOJ).
- A4. On behalf of Chief Legal Counsel obtain legal representation from the Department of Justice (DOJ) when a Respondent files a Petition for Administrative Review with the court.
- A5. Track and report on cases in circuit courts and courts of appeals for transmission to Chief Legal Counsel, board legal counsel, and prosecuting attorneys.
- A6. Review and analyze requests for administrative warning review to make preliminary determination on jurisdiction, timeliness, and legal and factual issues; and petitions for judicial review filed with the Department to determine adequacy of service and timeliness.
- A7. Identify, compile and certify requests for legal documents, to include board/department orders, in compliance with open records law.
- A8. Provide support to chief legal counsel in civil lawsuits and prepare correspondence to DOJ in matters on appeals in the circuit court.
- A9. Independently analyze disciplinary orders and legal actions issued against licensees, make legal determinations including correlating state statutes and administrative rules to data bank codes, regarding adverse actions taken, prepare legal summary of actions and submit accurate reports pursuant to data bank requirements.

- A10. Research, collect, and compile highly sensitive personally identifiable information required for reporting purposes.
- A11. Update the databank on subsequent actions including Board/Department orders and circuit court, court of appeals, or Supreme Court decisions.
- A12. Independently evaluate, assess the legal validity, respond to and/or act upon disputed data bank reports.
- A13. Respond to any questions or concerns from Department staff and licensees relating to data bank reports and requirements.
- A14. As requested by, and under the guidance of the Chief Legal Counsel, present findings of information and respond to questions at staff meetings, Board meetings and Board member workshops concerning the legal requirements for the data banks.
- A15. Coordinate all federal audits of the Department's compliance with data bank reporting laws.
- A16. Independently create, verify, and maintain the Department's data bank authorized user accounts as Chief Legal Counsel's agent. Provide training to new users as needed.

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B. Perform a variety of support services including maintaining docket information, filing and record maintenance, and operating a variety of office software in execution of web and database updates.

- B1. Accept and maintain custody of documents that are to be filed with the Boards or with the Department.
- B2. Keep accurate records of due dates for documents, date and time of receipt of documents and time, date, location and method of service of documents.
- B3. Compile and submit items requiring board review and/or deliberation for addition to meeting agendas.
- B4. Assign order numbers to Board and Department orders. Upload and attach orders to the appropriate Department database profile once all signatures have been received.
- B5. Post Final Decisions and Orders issued by the Boards or the Department to the agency website.
- B6. Change license status in the Department database to reflect Board or Department actions.
- B7. Promptly serve upon Respondent and/or Respondent's attorney, and the prosecutor, with notification to the Department's order monitoring area, all documents reflecting action of a Board, or the Department, with respect to disciplinary complaints, license denials and other actions affecting applicants for licensure, or licensees.
- B8. Calculate and calendar the timelines for objections.
- B9. Maintain accurate records and files of information sent to and received from the data banks.
- B10. Enter applicable event history codes in Department database as needed, collaborate with Department staff to maintain log of all Department database history codes, including description, use by Division and examples of proper utilization.

B11. Develop and maintain standard operating procedure manuals and training materials for all functions.

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C. Perform other duties as assigned by the Program Assistant Supervisor-Advanced, Division Administrator or Department management.

C1. Provide administrative support to the Division or management as requested.

C2. Perform other miscellaneous duties as assigned.

KNOWLEDGE, SKILLS AND ABILITIES

1. Problem solving skills
2. Interpersonal skills
3. Customer service skills
4. Analytical and critical thinking skills
5. Ability to exercise discretion and maintain confidentiality
6. Ability to read, understand and apply federal and state statutes and codes
7. Effective verbal and written communication skills
8. Ability to change tasks quickly and assess priorities in light of varying deadlines
9. Ability to interpret and apply administrative policy
10. Ability to use a computer, the internet, computer software and related technology, (e.g. Microsoft Office Suite, Adobe Acrobat Pro, desktop publishing software, web publishing software, etc.)
11. Knowledge of Open Records Law
12. Ability to move or manipulate equipment or boxes weighing up to 30 lbs.
13. Ability to represent the agency in a positive and professional manner
14. Knowledgeable in the utilization of Lexis
15. Ability to draft, identify and analyze routine legal documents
16. Knowledge of records retention requirements