

**OCCUPATIONAL GROUP: Legal**

**CLASS FAMILY: Attorney**

**CLASS FAMILY DESCRIPTION:**

**This family of positions includes those whose purpose is to conduct legal research and provide legal consultation and other professional legal services.**

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**CLASS TITLE: Attorney 1**

**DISTINGUISHING CHARACTERISTICS:**

These positions perform entry-level legal work. They assist higher level attorneys; conduct legal research and prepare legal documents. Typically, individuals in these positions have not yet passed the state bar exam. Perform related work as required.

**EXAMPLES OF WORK:** *(Any specific position in this class may not include all of the duties listed; nor do the examples listed cover all of the duties which may be assigned.)*

- Examines and/or prepares legal documents; prepares briefs and opinions for proper legal remedy.
- Performs preliminary research on proposed legislation affecting the agency.
- Advises departmental administrators on points of law affecting the agency.
- Assists in hearings before courts of law and quasi-judicial tribunals.
- Interprets court opinions and statutes.
- Assists in the preparation of administrative regulations.
- Answers telephone inquiries and correspondence.

**KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of government operation, agency regulations, and court procedures.
- Knowledge of federal and state laws, particularly those applicable to administration and regulatory functions.
- Knowledge of judicial procedures and rules of evidence.
- Skill in written and oral communication.
- Ability to analyze statutes.
- Ability to analyze, appraise and organize facts and present such materials in clear and logical form for oral or written presentation.
- Ability to draft legal instruments, proposed legislation and legal opinions.
- Ability to communicate effectively.

**MINIMUM QUALIFICATIONS:**

**Education:** Graduation from a regionally accredited or American Bar Association accredited law school.

**Experience:** N/A

**Education & Experience Substitution:** N/A  
**Certificates, Licenses, Registrations:** N/A

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**CLASS TITLE:** Attorney 2

**DISTINGUISHING CHARACTERISTICS:**

These positions perform full performance level legal work and have some latitude for independent action. They are responsible for representing the agency in administrative hearings and before appellate courts. Perform related work as required.

**EXAMPLES OF WORK:** *(Any specific position in this class may not include all of the duties listed; nor do the examples listed cover all of the duties which may be assigned.)*

- Consults with and advises departmental officials on administrative rules and regulations.
- Interprets court opinions, statutes, rules, regulations, and policy and advises departmental administrators on proper course of legal action.
- Conducts hearings before courts of law and quasi-judicial tribunals on behalf of the agency.
- Represents the agency in administrative hearings and appellate courts.
- Reviews various legal instruments for adequacy and appropriateness and revises standard legal documents as necessary; examines and/or prepares legal documents; prepares briefs and opinions for proper legal remedy.
- Performs research on proposed legislation affecting the agency and drafts legislation.

**KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of statutes, court opinions and Attorney General opinions.
- Knowledge of federal and state laws, particularly those applicable to administration and regulatory functions.
- Knowledge of government operation, agency regulations, and court procedures.
- Knowledge of administrative law.
- Knowledge of debt collection procedures/practices.
- Skill in written and oral communication.
- Skill in the preparation of cases and the preparation of briefs for appeal.
- Ability to interpret law and apply to cases.
- Ability to analyze, appraise and organize facts and present such materials in clear and logical form for oral or written presentation.
- Ability to perform legal work, draft legal instruments, proposed legislation and legal opinions.
- Ability to communicate effectively.

**MINIMUM QUALIFICATIONS:**

**Education:** Graduation from a regionally accredited or American Bar Association accredited law school.

**Experience:** 1 - 3 years of full-time or equivalent part-time paid employment in the practice of law.

**Education & Experience Substitution:** N/A

**Certificates, Licenses, Registrations:** Admission to the West Virginia State Bar.

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**CLASS TITLE: Attorney 3**

**DISTINGUISHING CHARACTERISTICS:**

These positions at the advanced level and are assigned complex legal work and have greater latitude for independent action and decision making. They are responsible for representing the agency in administrative hearing and before appellate courts, or are responsible for all legal work in a district or division of a large state agency. Some positions may have lead worker responsibilities. Perform related work as required.

**EXAMPLES OF WORK:** *(Any specific position in this class may not include all of the duties listed; nor do the examples listed cover all of the duties which may be assigned.)*

- Serves as a principal legal advisor.
- Performs highly responsible and complex legal work in areas such as, criminal law, taxation, real estate transactions, public and private utility companies and complex industrial firms.
- Represents the agency at pretrial hearings and in court; manages litigation; preps witnesses.
- Determines further appeal of contested cases and makes recommendations to supervisor concerning final clearance.
- Drafts legal pleadings or briefs on complex criminal cases or regulatory issues.
- Provides direction to other attorneys.
- Drafts rules, regulations, policies, legislation.
- Interprets court opinions, statutes, rules, regulations, and policy and advises departmental administrators on proper course of legal action.

**KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of statutes, court opinions and Attorney General opinions.
- Knowledge of general law.
- Knowledge of judicial procedure and legislative procedure.
- Knowledge of federal and state laws, particularly those applicable to administration and regulatory functions.
- Knowledge of government operation and agency regulations.
- Skill in written and oral communication.
- Skill in the preparation of cases and the preparation of briefs.
- Ability to interpret law and apply to cases.
- Ability to analyze, appraise and organize facts and present such materials in clear and logical form for oral or written presentation.

- Ability to perform complex legal work, draft legal instruments, proposed legislation and legal opinions.
- Ability to communicate effectively.
- Ability to lead the work of others.

**MINIMUM QUALIFICATIONS:**

**Education:** Graduation from a regionally accredited or American Bar Association accredited law school.

**Experience:** 3 - 5 years of full-time or equivalent part-time paid employment in the practice of law.

**Education & Experience Substitution:** N/A

**Certificates, Licenses, Registrations:** Admission to the West Virginia State Bar.

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**CLASS TITLE: Attorney 4**

**DISTINGUISHING CHARACTERISTICS:**

These positions perform complex legal and supervisory work. They have wide latitude for independent action and decision making. These positions function primarily as working supervisors, performing supervisory duties over attorneys and support staff and overseeing legal projects assigned to subordinates. Perform related work as required.

**EXAMPLES OF WORK:** *(Any specific position in this class may not include all of the duties listed; nor do the examples listed cover all of the duties which may be assigned.)*

- Plans, assigns, directs and supervises the legal work of a staff of attorneys; provides supervision and training on all matters of law and legal ethics.
- Ensures compliance with federal and state regulatory and statutory.
- Advises Cabinet Secretary, agency officials, or General Counsel on complex legal issues related to department programs and laws.
- Assists in establishing legal policies and coordinating activities with the programs, policies and procedures.
- Represent the agency in highly complex and important litigation before trial, in courts, and in administrative proceedings.
- Drafts administrative regulations and proposed legislation; may conduct administrative hearings.
- Performs complex and advanced legal research on matters of significant public interest.
- Directs the preparation of briefs and other work associated with litigation and court work.
- Drafts legal pleadings or briefs on complex criminal cases or regulatory issues; negotiates settlement agreements.
- Responds to complaints and questions from the public.

**KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of the Constitution, statutes, court opinions, state and federal laws and regulations, and established department policy.

- Knowledge of general law, legal methods and processes, including the administrative regulation promulgation process, legislative drafting and the legislative process.
- Skill in written and oral communication.
- Ability to effectively supervise and to plan and evaluate the work of subordinate personnel.
- Ability to interpret law and apply to cases.
- Ability to analyze, appraise and organize facts and present such materials in clear and logical form for oral or written presentation.
- Ability to perform complex legal work in the drafting of legal instruments, proposed legislation and legal opinions.
- Ability to conduct administrative hearings.
- Ability to effectively communicate, both orally and in writing..
- Ability to maintain effective working relationships with fellow employees, other agencies, the public, and government officials.

**MINIMUM QUALIFICATIONS:**

**Education:** Graduation from a regionally accredited or American Bar Association accredited law school.

**Experience:** 6 – 8 years of full-time or equivalent part-time paid employment in the practice of law.

**Education & Experience Substitution:** N/A

**Certificates, Licenses, Registrations:** Admission to the West Virginia State Bar.

**CLASS TITLE: Attorney 5**

**DISTINGUISHING CHARACTERISTICS:**

These positions direct an entire legal division within a state agency, supervising attorneys of all levels, and guiding the division’s legal work. Other positions serve as the Chief General Counsel for an agency. They report to the Cabinet Secretary or agency head. Perform related work as required.

**EXAMPLES OF WORK:** *(Any specific position in this class may not include all of the duties listed; nor do the examples listed cover all of the duties which may be assigned.)*

- Supervises and organizes the legal and support staff within the Legal Division of the agency.
- Directs the preparation of cases; directs the coordination of legal functions within the agency.
- Advises Cabinet Secretary and agency officials on complex legal issues related to department programs and laws.
- Develops and recommends legal policies, statutory changes, and regulatory changes.
- Directs, coordinates or assists in the preparation of legislation and regulations; may attend legislative sessions and hearings.

- Serves as principal liaison between the agency and other government offices.
- Addresses local, state and national associations, civic groups and business and trade associations; may attend program council sessions and hearings.
- Prepares the unit's budget request and allocates allotted staff and resources for the most efficient operation of the unit.

**KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of the Constitution, statutes, court opinions, state and federal laws and regulations, and established department policy.
- Knowledge of current legal issues concerning the agency.
- Knowledge of legislative procedure, bill drafting and the implementation of legislation.
- Skill in written and oral communication.
- Ability to effectively supervise and to plan and evaluate the work of subordinate personnel.
- Ability to interpret law and apply to cases.
- Ability to effectively communicate, both orally and in writing..
- Ability to maintain effective working relationships with other agencies, the public, and government officials.

**MINIMUM QUALIFICATIONS:**

**Education:** Graduation from a regionally accredited or American Bar Association accredited law school.

**Experience:** 8 - 9 years of full-time or equivalent part-time paid employment in the practice of law.

**Education & Experience Substitution:** N/A

**Certificates, Licenses, Registrations:** Admission to the West Virginia State Bar.