

## Job Description Staff Attorney

<b>DEPARTMENT:</b>	Legal	<b>REPORTS TO:</b>	General Counsel
<b>TITLE CODE:</b>	2310MR	<b>DATE:</b>	6/11/18
<b>POSITION CODE:</b>	R59547, R99786	<b>ADMINISTRATIVE REVISION:</b>	

### Job Summary

Under general direction of the General Counsel: Represents Orange County Employees Retirement System (OCERS) in administrative hearings and state court writ proceedings arising from appeals of disability retirement determinations, benefit calculation issues, and other issues involving the administration of retirement benefits by OCERS. This includes review of medical records, employment documents, workers' compensation records, retirement system records and other related documents; analysis and application of statutes, case law, administrative decisions and other legal precedent to benefit appeal matters; participation in administrative hearings and writ proceedings; presentation of evidence including examination and cross-examination of witnesses; application of hearing rules, rules of civil procedure and rules of evidence; analysis and preparation of briefs and review of Hearing Officer findings to determine if objections are warranted.

Provides advice and counsel to OCERS staff on application of retirement laws, as well as other laws in the administration of a public agency.

### Distinguishing Characteristics

Staff Attorneys report directly to the General Counsel and are expected to uphold the highest standards of accountability, plan sponsor focus, and system efficiency. The incumbents work within general instructions and guidelines, exercising discretion and independent judgment in the performance of duties.

### Performance Attributes

Include but are not limited to the following:

- ▶ Reviews and evaluates medical records, employment records, application materials and other information and determines relevance for inclusion in an administrative record.
- ▶ Participates in committee meetings to discuss benefit cases to be presented to the Board of Retirement or the Disability Committee and provides input on whether the evidence presented supports the recommended actions.
- ▶ Prepares briefs, pre-hearing statements, motions, and other legal documents, necessary to obtain a complete administrative record and to adequately represent OCERS in administrative benefit hearings and state court writ proceedings.
- ▶ Represents OCERS in administrative benefit hearings and state court writ proceedings, which include offering objections, taking testimony, submitting written and oral evidence, and providing oral argument.
- ▶ Ensures that the County Employees Retirement Law of 1937, Federal and State statutes, the OCERS Hearing Rules, and OCERS policies, are followed throughout the administrative hearing process.

- ▶ Confers with and provides legal advice to OCERS' employees on legal questions; prepares formal opinions as to the interpretation of the laws governing OCERS; and reviews contracts, leases, and other legal documents.
- ▶ Performs a wide variety of legal research.

## **Minimum Qualifications**

Minimum qualifications required for entry into the classification

### ***Education and/or Experience***

Must have a Juris Doctor degree from an accredited U.S. law school.

**and**

Two years of post-bar legal experience handling administrative hearings, civil litigation, arbitrations, mediations or other similar proceedings that required analysis and presentation of evidence, motion or brief writing, and analysis of findings. Up to one year of pre-bar administrative hearing or similar work can be substituted for post-bar experience.

### ***Special Notes, Licenses or Requirements:***

- ▶ Active membership in the State Bar of California and in good standing.
- ▶ Compliance with continuing legal educational requirements of the State Bar of California.
- ▶ A valid California class C driver's license or the ability to arrange necessary and timely transportation for field travel.
- ▶ May be required to use personal vehicle.
- ▶ A complete background investigation is required; a felony or misdemeanor conviction may be a disqualifying factor from employment.

### ***Knowledge/Skills/Abilities***

The Knowledge, Skills and Abilities necessary to perform essential duties of the position include:

#### ***KNOWLEDGE OF:***

- ▶ Rules of evidence, civil procedure, and the conduct of administrative hearings and state court writ proceedings.
- ▶ The 1937 County Employees Retirement Law, current regulations and statutes as they relate to OCERS.
- ▶ The organization, powers and limitations of county government.
- ▶ The California Constitution.

- ▶ Legal research methods and application of legal principles.
- ▶ Telephone, office, and online etiquette.
- ▶ Computer applications and hardware related to the performance of the essential functions of the job.

### ***SKILLS/ABILITY TO:***

- ▶ Prepare, present and conduct administrative benefit hearings and state court writ proceedings.
- ▶ Prepare complex legal documents such as pre-hearing statements, briefs, motions and legal opinions.
- ▶ Prepare persuasive briefs.
- ▶ Analyze legal problems and apply legal principles and practices.
- ▶ Present statements of fact, law and argument clearly and logically in written and oral form.
- ▶ Effectively perform legal research.
- ▶ Perform job functions independently and in an ethical and objective manner.
- ▶ Establish and maintain professional relationships with all levels of management, staff, consultants, retirement system members, and others, encountered in the course of work.
- ▶ Maintain a professional demeanor in volatile situations which require a high degree of sensitivity, tact, and diplomacy.
- ▶ Work cooperatively with others.
- ▶ Conduct comprehensive and analytical reviews of medical records.
- ▶ Understand and communicate complex medical and legal concepts.
- ▶ Demonstrate strict confidentiality, professionalism, integrity, and compliance with applicable laws and regulations at all times.
- ▶ Use standard office equipment such as: computer, printer, scanner, fax machine, and photocopier.

### ***Physical, Mental and Environmental Conditions***

The physical and mental demands described here are representative of those that are customarily required to successfully perform the essential functions of this class.

#### ***Physical and Mental Demands***

- ▶ Speak and hear well enough to communicate in English clearly and understandably in person, over the telephone, and in small or large groups.
- ▶ Manual dexterity sufficient to use hands, arms and shoulders repetitively to operate a telephone, keyboard, and write.

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- ▶ Mental stamina to interact professionally with members of the Board of Retirement, Plan Sponsors, peers and retirement system members.
- ▶ Vision sufficient to read fine print and a computer monitor.
- ▶ Independent body mobility, agility, and stamina to stand, walk, stoop, bend, and twist, to access a standard office environment.
- ▶ Ability to sit for prolonged periods of time.
- ▶ Body strength sufficient to lift up to 15 pounds and carry files.

### ***Environmental Conditions***

- ▶ The primary work place is in an office environment work with standard office equipment.
- ▶ The primary work place is an office environment, working with standard office equipment.
- ▶ Peripheral office equipment generates a quiet to moderate noise level.
- ▶ Operates in an environment that includes elected officials, non-elected officials, government agencies, community interest groups and the general public in the development and coordination of OCERS affairs.
- ▶ Out of area travel may be required to attend professional conferences, due diligence, and meetings.

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### **Acknowledgement**

By signing below, I acknowledge that I have reviewed and discussed the contents, requirements, and expectations included in this job description with my supervisor and a copy has been provided to me.

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Employee Signature

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Date

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Supervisor Signature

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Date

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Reviewer Signature

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Date