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Attorney 13 Type II Level D

GS-0905-13 (Type II, Level D)

NOTE: THE SENTENCE IN PART I DESCRIBING THE REASON FOR THE POSITION AND PARTS II AND III IN THEIR ENTIRETY ARE PERMANENT PARTS OF THE LIBRARY AND MAY NOT BE CHANGED OR EDITED.

I. INTRODUCTION

The incumbent works on cases or legal issues of a moderate to complex nature where the factual situation is often complicated and clear precedents are not readily available or apparent.

II. MAJOR DUTIES AND RESPONSIBILITIES

Performs a variety of legal duties relative to legal issues which are often factually complex or of such a novel nature that no clear precedents apply. Duties may include participating in an administrative or judicial hearing or developing the research strategy for a given issue, conducting the research, and presenting the conclusions of the research. The conclusions of the research are presented to high level organizational or adjudicatory officials. Where the incumbent is reviewing applications for specific governmental protection or approval, the incumbent normally has the authority to recommend approval or approve the particular application.

III. FACTOR LEVEL DESCRIPTIONS

Factor 1. Knowledge Required By the Position Level 1-7, 1250 points

Knowledge of research strategies and techniques sufficient to research legal issues where no clearly applicable precedents are available or it is arguable which precedents apply. Knowledge of statutes and regulations authorizing agency action as well as in-depth knowledge of the relevant case law. Knowledge of procedural rules and regulations such as Federal Rules of Civil Procedure (FRCP) or appellate procedures sufficient to meet all procedural requirements inherent in the type of issue with which the incumbent is dealing (e.g. sufficient knowledge of Merit Systems Protection Board procedures to conduct all aspects of hearing for agency).

Factor 2. Supervisory Controls Level 2-5, 650 points

Carries out assignments without preliminary instruction. Independently conducts the investigation or negotiation, plans the approach, and develops the completed decision, report, brief, opinion, contract, or other product; or represents the Government at the conference, hearing, or trial. Supervisor may be briefed where there is a precedent setting case or for consistency with agency policy. At this level, the incumbent is usually the lead attorney on a major case or the advisor to a major agency program.

Factor 3. Guidelines Level 3-4, 450 points

Guidelines such as agency guidelines and regulations, legal precedents, and legal references are applicable in some instances but require initiative and resourcefulness in applying to the specific factual situation. The incumbent must be able to deviate from the traditional methods of dealing with the specific legal issue to develop new or alternative approaches to the problem.

Factor 4. Complexity Level 4-5, 325 points

The complexity of legal matters is characterized by difficult legal or factual questions. There is often an absence of clearly applicable precedents due to the novelty of the issue and the complexity of the factual situation. In

choosing the correct legal strategy for resolving the specific legal issue, the incumbent must apply a sound knowledge of the specific legal field and creativity to adapt legal theories to the specific factual situation.

Factor 5. Scope and Effect Level 5-5, 325 points

The impact of the matters affects (economically, socially, or politically), either directly or as a legal or administrative precedent, a significant segment of private or public interests, the manufacturers of a given product, or an important program of a government agency. Large sums of money are often either directly or indirectly involved and there is often considerable interest from a significant segment of the population. Because of the potential impact of these legal matters, they are often strongly contested where formal hearings are involved by individuals or corporations.

Factor 6. Personal Contacts Level 6-4, 110 points

Contacts are with top level personnel both within and outside the agency relative to the most sensitive and complex legal issues. Contacts with the private sector are also with top level officials such as partners of large national or international law firms and heads of major corporations. Contacts are of an unstructured nature requiring the incumbent to exercise a great degree of discretion and innovativeness.

Factor 7. Purpose of Contacts Level 7-3, 120 points

Purpose of contacts at this level is normally to present complex cases, legal opinions or program advice which requires the incumbent to be able to motivate and convince the parties at issue to accept the position of the incumbent. Therefore, the incumbent must be skillful in presenting their case in order to gain the desired effect. When providing legal advice to program officials, the incumbent must be skillful in presenting the legal options and their ramifications.

Factor 8. Physical Demands Level 8-1, 5 points

The work is sedentary requiring no special physical demands.

Factor 9. Work Environment Level 9-1, 5 points

The work environment involves everyday risks or discomforts which require normal safety precautions typical of such places as offices, meeting and training rooms, and libraries.

II-D

This position is exempt from coverage under the Fair Labor Standards Act.

IV. UNIQUE POSITION REQUIREMENTS

(Last Updated: November 4, 1994)

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