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## Attorney 14 Type II Level E

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### GS-0905-14 (Type II, Level E)

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

As the lead attorney on a particular case which may go to an administrative or judicial hearing or counsel to a major operating program, the incumbent is responsible for the analysis of the legal issue in question, the development of the strategy to deal with the legal issue, and the content and means of delivery of the completed analysis of the legal issue. At this level, the incumbent provides legal advice to high level agency officials and is responsible for effectively presenting the agency position before administrative or judicial bodies. Where the incumbent is reviewing applications for specific governmental approval or protection, they will have final approval authority, and in many cases, will review the work of lower graded attorneys and provide final approval of applications preliminarily approved by the lower graded attorney.

#### III. FACTOR LEVELS

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 3-5, 650 points

Guidelines relative to the specific legal problem are usually lacking or relatively unclear. Consequently, the incumbent must apply ingenuity and judgment in interpreting the guidelines which do exist such as relevant case law, legal references, agency guidelines and regulations and relevant legal theories. Frequently, the incumbent is recognized as an expert in their specific area of the law and expected to deal with those legal issues for which there is little direct guidance.

Factor 4. Complexity Level 4-6, 450 points

The complexity of legal matters is characterized by extremely complex and difficult legal or factual issues such as those involving the drafting, interpretation, or application of legislation, regulations, orders, opinions, or other legal instruments and requires for their solution a high degree of original legal endeavor in order to obtain a balance of conflicting interests; or those matters containing complex factual or policy issues requiring extensive research and analysis and the obtaining and evaluating of expert testimony or information in controversial areas of scientific, medical, engineering, or other highly technical areas.

Factor 5. Scope and Effect Level 5-6, 450 points

Legal matters dealt with at this level may have the effect of broadening or restricting the activities of an agency or have an impact on a major industry whose economic position affects the health and stability of the general economy. These matters also typically have an important impact on major private or public interests and involve, either directly or indirectly, substantial sums of money and are frequently vigorously contested by extremely capable legal talent. At this level, interest in the legal matter is sometimes nationwide.

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-E

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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