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## Attorney 15 Type III Level E

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### GS-905-15 (Type III, 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 as the lead or principal attorney on cases or legal issues characterized by one or more of the following: 1) extremely complex and difficult legal or factual issues requiring a high order of legal endeavor with the incumbent often having to balance conflicting interests; 2) matters that can have the effect of substantially broadening or restricting the activities of an agency or have an important impact on a major industry whose economic position affects the health and stability of the general economy; or 3) the matter involves, directly or indirectly, very large sums of money and are frequently vigorously contested by extremely capable legal talent.

#### II. MAJOR DUTIES AND RESPONSIBILITIES

As the lead attorney on a particular case or legal issue characterized by one or more of the traits described in I above or counsel to a major operating program posing complex legal questions, 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 typically deals with the top management of their agency as well as the top management and/or attorneys of other private and public organizations. At this level, the incumbent may independently decide a broad array of procedural issues for an administrative board such as motions to amend pleadings, motions to strike pleadings, etc. where the incumbent is both an expert in the procedural and substantive aspects of the law and draft decisions for the administrative body relative to the disposition of the substantive aspects of the case.

#### III. FACTOR LEVELS

Factor 1. Knowledge Required by the Position Level 1-8, 1550 points

Knowledge at the expert level of the controlling statutes, regulations, and case law pertaining to the subject matter of the particular issue sufficient to develop legal opinions whether through the litigation process or administratively, which may alter the state of the law in the particular area or expand the charter of the agency. Skill in oral and written expression sufficient to pursue the particular legal issue against opposition which vigorously contests the agency position and is highly sophisticated and talented usually involving top attorneys in both the private and public sector.

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 the lead attorney on a major case or the principal 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 can have the effect of substantially broadening or restricting the activities of an agency or have an important 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, very large sums of money and are frequently vigorously contested by extremely capable legal talent. At this level, interest in the legal matter is normally 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 7-4, 220 points

At this level, the incumbent must be able to present and defend the most complex legal opinions whether in court, a regulatory environment, or to a program officials. The incumbent would typically lead a team of attorneys when involved in litigation and develop and defend the legal strategy taken. When dealing with program officials, the incumbent would be presenting legal options relative to a specific program or legislation and play a major role through the use of negotiation skills in the outcome of the particular matter.

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.

III-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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