

Working Title: Attorney
Classification: Attorney
Work Location: Bureau of Legal Services, Madison, Wisconsin

Position Summary: Staff attorneys may provide a variety of legal services, through counsel and representation to the Secretary's Office, the Natural Resources Board and the Department's various divisions and bureaus. Staff attorneys are involved in interpreting, providing guidance and advice on, and enforcing the statutes and rules under the Department's jurisdiction. Duties may include representation of the Department's programs including: Law Enforcement; Drinking and Groundwater; Water Quality; Office of Great Waters; Administration; Management & Budget; Forestry; Facilities and Lands; Parks and Recreation; Natural Heritage Conservation; Fisheries Management; Wildlife Management; Finance; Human Resources; Technology Services; Air Management; Remediation and Redevelopment; Waste and Materials Management; Community Financial Assistance; Customer and Outreach Services; Environmental Analysis and Sustainability; Watershed Management; Waterways and Wetlands. Candidates with a background or demonstrated interest in the interpretation and enforcement environmental quality regulations issues are strongly encouraged to apply.

Scope of Authority: This position is part of the Bureau of Legal Services and functions under the general supervision of the Chief Legal Counsel. The position reports directly to the Deputy Chief Legal Counsel and the Chief Legal Counsel.

Position's Geographic Scope and Travel Requirements: This position has statewide responsibilities and requires occasional in-state travel.

Responsibilities and Accountabilities:

TIME % GOALS AND WORKER ACTIVITIES:

- 35% A. Advice and Counsel:** Provide advice and counsel regarding legal issues, including interpretation of statutes, codes, case law and precedent; advise the Secretary's Office, Division Administrators, program bureaus and field staff regarding legal issues.
- A1. Conduct legal research.
 - A2. Advise clients on the interpretation of laws and rules.
 - A3. Draft legal memoranda and formal legal opinions.
 - A4. Counsel clients on department policies and procedures.
 - A5. Analyze proposed legislation and provide counsel on changes to legislation.
- 35% B. Representing Department at Hearings/Proceedings:** Represent Department at contested case hearings, administrative hearings/litigation, enforcement proceedings and/or adjudicatory proceedings, as well as during interactions that may lead to litigation. Conduct settlement negotiations, legal research, discovery, depositions, draft and file briefs,

stipulations, and court filings. Represent the Department's interests when cases are referred to the Department of Justice for representation.

- B1. Appraise and analyze facts, evidence and precedents in applying legal principles.
 - B2. Prepare for and represent the Department in contested case hearings by preparing witnesses, drafting motions and briefs, submitting evidence, examining witnesses, providing oral arguments and submitting post-hearing briefs.
 - B3. Initiate or respond to discovery, including taking and defending depositions and drafting and responding to interrogatories and requests for admission.
 - B4. Exercise judgment in planning litigation strategy by counseling, advising and recommending goals and courses of litigation action to clients.
 - B5. Make recommendations regarding the taking of appeals when necessary.
 - B6. Respond to inquiries from the Natural Resources Board and legislature regarding individual cases.
- 20% C. Review and Drafting:** Draft/revise/review administrative rules proposals, Department policies and guidance, and legal memoranda.
- C1. Draft legal opinions and memoranda on requests from the Secretary's Office, Division Administrators, and Program Bureaus.
 - C2. Draft, revise, review and edit administrative rule proposals.
 - C3. Review and edit manual code proposals and revisions.
 - C4. Assist in development of assigned programs' guidance documents, policies and procedures.
- 5% D. Training:** Develop, update and present legal training materials.
- D1. Conduct training relevant to assigned programs.
 - D2. Conduct training on emerging legal precedents, administrative rules drafting and processing, hearing practice or other legal issues relevant to the attorneys in the Bureau of Legal Services.
- 5% E. Other Legal Duties as Assigned.**

Knowledge – Technical Competencies

1. Knowledge and skills associated with having earned a law degree.
2. Knowledge or experience with Natural Resources law, State and Federal Environmental Law and/or Conservation law.
3. Knowledge of the Department's statewide natural resources programs.

4. Knowledge of principles and practices necessary to administer and implement natural resource or environmental law.
5. Knowledge of effective legal research techniques.
6. Skills in providing service excellence.
7. Skills in the English language, including structure and content, rules of composition, and grammar.
8. Skills in decision making and the ability to effectively make decisions.
9. Ability to interpret statutes and regulations.
10. Ability to draft applicable legal documents.
11. Ability to make legal arguments both orally and in writing.
12. Ability to communicate effectively in writing and verbally, including providing difficult or unwelcome information to opposing counsel, members of the public and the regulated community.
13. Ability to listen and understand different perspectives.
14. Ability to develop and maintain effective working relationships and partnerships.
15. Ability to lead and persuade others.

ADDITIONAL EXPECTATIONS AND ABILITIES:

Decision Making: Analyzes information in a manner that results in sound decisions made without unnecessary delay. Involves the right people (i.e., co-workers, customers, supervisors, etc.). Maintains credibility for self and for the Department.

Service Excellence: Makes customer service a top priority by responding to internal and external needs in a timely, respectful, and thorough manner. Delivers on promises made to internal and external customers and follows up appropriately.

Effective Communications: Expresses self in a clear, concise and effective manner. Is articulate, engaging, and able to communicate complex ideas in a manner which will be understood by the target audience. Is an active listener and is respectful of differing viewpoints of internal and external customers. Makes a concerted effort to keep customers informed.

Interpersonal Relationships: Actively builds and maintains effective working relationships with others – both within and outside the Department. Addresses conflict in a positive and productive manner. Displays integrity, objectivity, compassion, and dignity while maintaining respect of self, co-workers, and others at all times.

Leadership: Influences others in a positive manner to accomplish Department objectives. Leads by example and leads with courage when easy solutions to complex problems are not obvious. Holds oneself accountable for actions and the actions of others working under his/her leadership.

Safety/Risk Management: Displays a commitment to safety by focusing on lawsuit prevention and control of risk for the Department. Recognizes potential liability and provides counsel to seek mitigation of liability and risk. Does not recommend actions that subject Department to liability or unreasonable risk.