

**UNIFIED JUDICIAL SYSTEM
POSITION DESCRIPTION**

CHIEF OF LEGAL RESEARCH

CLASS CODE: 99-71-20

POSITION PURPOSE

Researches legal issues for the Supreme Court, recommends the disposition of those issues, and drafts the decisions, orders, or rules to dispose of the issues; advises and provides administrative support duties to the Board of Bar Examiners; and manages the Supreme Court Law Library.

DISTINGUISHING FEATURE

This position requires extensive knowledge of the law, library management, examination procedures and protocol, character and fitness, and oversight and management of the Supreme Court legal staff to ensure the goals and objectives of the Supreme Court are met.

MAJOR RESPONSIBILITIES

Note: The duties listed are typical examples of work performed by positions in this job classification. Not all duties are included, nor is the list exclusive.

1. Researches legal issues before the Supreme Court in various procedural contexts and recommends disposition of legal issues and draft memoranda and proposed decisions, orders, or rules on matters before the Court.
 - a. Reviews records, performs research, and writes preargument memos for cases on the Court's per curiam calendar.
 - b. Drafts research memoranda and court opinions; and accumulate prior records relevant to statutory questions concerning the validity of the death penalty sentence in complex appeal cases.
 - c. Drafts research memoranda and court opinions in judicial and attorney disciplinary cases; and expedited appeals heard before the Supreme Court.
 - d. Reads and screens briefs for placement of appeals on oral, non-oral, or per curiam calendar.
 - e. Researches and writes memos recommending disposition of motions.
 - f. Advises the Chief Justice and Supreme Court Clerk on miscellaneous legal matters.
 - g. Screens appeals for jurisdictional defects and recommends disposition.
 - h. Drafts and reviews Supreme Court rules.
 - i. Assists Supreme Court Justices and Circuit Court Judges in research requests by conducting legal research and forming legal opinions.
 - j. Edits decisions of Circuit Court Judges assigned to sit on cases before the Supreme Court.
 - k. Reviews records, prepares preargument memoranda, and drafts decisions in all child abuse and neglect cases before the Supreme Court on an accelerated schedule.

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2. Serves as the ex officio secretary to the Board of Bar Examiners and advises the Board on rule changes and issues regarding testing and admissions; and researches and drafts rule changes on behalf of the Board.
 - a. Reviews each bar application and identifies character and fitness questions.
 - b. Conducts character investigations on each bar applicant.
 - c. Makes initial determination regarding special accommodations for applicants sitting for the bar examinations.
 - d. Prepares memos to the Board regarding character issues, sends the files to the Board, and initiates a conference call with the Board to determine if a character hearing is required.
 - e. Schedules and attends board meetings and character and fitness hearings.
 - f. Maintains the Bar Examiner files and applications.
 - g. Trains proctors and monitors the bar examination.
 - h. Monitors conditional admissions approved by the Supreme Court.
3. Oversees the Supreme Court Law Library to ensure the availability of legal materials and needed space.
 - a. Researches, selects, and purchases books and materials to include on-line research aids.
 - b. Decides materials to be discontinued and discarded.
 - c. Prepares the law library annual budget.
 - d. Maintains the federal depository materials and works with federal inspectors.
4. Performs other work as assigned.

SUPERVISORY FUNCTIONS

This position supervises staff who are responsible for researching various legal issues before the Supreme Court and a clerical support person who assists with the bar examination and provides overall clerical support to the office.

ESSENTIAL FUNCTIONS REQUIRE

This position requires ordinary functions of a typical working day, sitting, standing, and walking; attendance in accordance with rules and policies; proficiency in the use of office equipment such as computers, telephones, copiers, etc.; work effectively with coworkers; manage stress appropriately; meet deadlines; demonstrate initiative and motivation; identify and analyze legal issues; and communicate (verbally and in writing) complex ideas, concepts, dispositions, rules, policies, and procedures.

PROBLEMS AND CHALLENGES

Challenges include researching and resolving a wide variety of legal questions for the Supreme Court in a timely manner; addressing various personnel issues with staff; managing time and priorities so that everything is completed timely and without sacrificing quality; identifying and advising the Board of Bar Examiners of testing, ADA, and character and fitness questions arising from the admission process; and maintaining a current and complete law library as well as keeping apprised of technological advancements in research to suit patrons needs.

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DECISION-MAKING AUTHORITY

Decisions made by the incumbent include evaluating legal issues, deciding the appropriate course of research, composing a research memoranda to the Court, and recommending appropriate disposition; day-to-day personnel issues; determining the initial ADA accommodation requests to be approved; training of Board of Bar proctors; determining the location of the bar examination; determining which files to flag and send to the Board of Bar Examiners for review; and determining what books and databases to acquire or discontinue.

Decisions referred include any items that require final approval or decision of the Supreme Court or the Board of Bar Examiners.

CONTACT WITH OTHERS and PURPOSE

The incumbent has frequent contact with the Chief Justice and Justices of the Supreme Court to provide legal research and memoranda, Supreme Court staff to share information about appellate cases, and members of the Board of Bar Examiners to provide information and prepare for the bar examination; and occasional contact with Circuit Court Judges to provide legal research and information, bar examination applicants to gather and provide information, and library patrons to provide information and publishing representatives to purchases library items.

WORKING CONDITIONS

The incumbent works in a typical office environment.

COMPETENCIES/QUALIFICATIONS FOR APPOINTMENT

Knowledge, Skills and Abilities:

Knowledge of:

- the law and South Dakota law;
- the court and judicial systems;
- functions of the court;
- law library management or library science;
- issues regarding testing and examinations;
- budgeting fundamentals;
- supervisory and leadership techniques and tools.

Skill in:

- organizational and time management;
- project management;
- critical thinking.

Ability to:

- perform legal research;
- locate sources of legal information;
- communicate in a clear and concise manner both orally and in writing;

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- effectively manage highly stressful situations and remain patient and calm;
- establish credibility and integrity;
- maintain confidentiality of issues and records.

Education:

Graduation from an accredited law school and membership in the State Bar of South Dakota (or successful completion of the first South Dakota bar examination following employment with the Supreme Court).

Experience:

Five (5) years of progressive and highly responsible legal experience in diverse range of fields; or an equivalent combination of related education and experience.