

**UNIFIED JUDICIAL SYSTEM  
POSITION DESCRIPTION**

**STAFF ATTORNEY - SCAO**

**CLASS CODE: 99-51-40**

**POSITION PURPOSE**

Provides administrative legal advice for Unified Judicial System (UJS) employees, Judges, projects, and programs by providing oversight for business practices; providing guidelines for program management; developing operational policies and procedures; facilitating actions of committees and taskforces to improve court operations and enhance access to justice and public trust.

**DISTINGUISHING FEATURE**

This position provides legal support and program management related to the administration of the court system for the State Court Administrator's Office (SCAO), UJS committees and UJS programs.

**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. Supervises and manages the Rural Attorney Recruitment program to ensure program goals and objectives are realized.
  - a. Communicates with potential applicants regarding the program and coordinates with other interested entities including the State Bar and Counties.
  - b. Manages contracts with applicants and compliance.
  - c. Conducts assessment of eligible counties for program participation.
  - d. Educates law students and interested stakeholders about the program.
  - e. Maintains data and updates program information and materials.
2. Supervises and manages the child support referee program to ensure child support decisions are received within prescribed timeframes.
  - a. Communicates with the Department of Social Services (DSS) regarding program issues.
  - b. Facilitates and conducts training for referees.
  - c. Tracks and monitors outstanding child support cases and compiles and distributes monthly reports to referees, Circuit Court Administrators, and Presiding Judges.
  - d. Investigates referee complaints, reviews the law and factual situations, facilitates discussions between the Division of Child Support (DCS) and referees, and provides legal advice for various situations.
  - e. Educates judicial employees about the referee program.
  - f. Conducts on-site visits of child support referees, develops standard policies and forms for their use, and obtains tax tables for them.
  - g. Participates on the Child Support Commission.

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3. Staffs various UJS committees to represent UJS interests and provide legal guidance.
  - a. Provides input into committees' agendas and drafts minutes for distribution.
  - b. Communicates with committee chairmen to ensure needs are met at meetings.
  - c. Drafts legal forms and documents for committees' review.
  - d. Contracts with outside sources to provide training for implementing committees' objectives.
  - e. Provides presentations and training to UJS staff and the public to promote committees' goals and objectives.
4. Performs various legal research and advisory projects to give legal opinions and advice that are accurate and timely and in the best interest of the UJS.
  - a. Identifies legal issues and potential litigation issues with varying levels of complexity.
  - b. Researches applicable laws and recommends resolutions.
  - c. Communicates impact of issues as they relate to the UJS.
5. Performs other work as assigned.

### **SUPERVISORY FUNCTIONS**

This position does not have supervisory authority; however, does provide legal oversight for business matters and various projects and programs throughout the court system.

### **ESSENTIAL FUNCTIONS REQUIRE**

This position requires ordinary functions of a typical working day, sitting (sometimes for extended periods of time), standing, and walking; attendance in accordance with rules and policies; proficiency in the use of office equipment such as computers, telephones, copiers, etc.; in-state travel to confer with referees and attend meetings and trainings; and out-of-state travel for trainings and meetings. This position also requires working effectively with coworkers, managing stress appropriately; meeting deadlines; demonstrating initiative and motivation; identifying and analyzing legal issues; and communicating (verbally and in writing) complex ideas, concepts, dispositions, rules, policies, and procedures.

### **PROBLEMS AND CHALLENGES**

Challenges include finding resolutions to diverse issues related to projects and programs to which this position provides oversight. This is difficult because they involve legal challenges such as conflicting interpretations of applicable laws, and personality challenges which may involve complaints from those unfamiliar with programs and their purposes and who have little knowledge of the law. Further challenged to enhance and expand project and program services to maintain and improve consumers' access to court services.

Problems encountered include reviewing the law and factual situations, conducting investigations, and providing legal advice and recommendations for various situations; foreseeing and minimizing liability for the UJS; developing new systems, forms, and methods to make the courts more accessible to the public; identifying legal issues and potential litigation issues and researching and recommending resolutions.

**DECISION-MAKING AUTHORITY**

Decisions include resolution of issues with referees and clerks, training agendas, interpretations of the law, and how to direct complaints from the public regarding the referee program; ensuring legal protection and standards are followed; drafting forms; organizing meetings; ensuring public access to UJS information and forms.

Decisions referred include decisions that may result in reprimand of referees; changes to general terms of contracts; whether forms are necessary and the content of the forms; website content; and approval of legal decisions.

**CONTACT WITH OTHERS and PURPOSE**

Daily contact with SCAO Legal Counsel, SCAO staff, child support referees, rural attorney recruitment program participants or interested applicants, Circuit Court Administrators, Presiding Judges, DSS, DCS, Court Clerks, and members of the public who utilize the child support referee program to facilitate efficiency of the program and positive results; and frequent contact with pro se committee members, Division of Information and Technology staff, Court Clerks, and the state bar regarding pro se committee agendas, projects, and methods of enhancing access to court services; regular contact with the State Court Administrator.

**WORKING CONDITIONS**

The incumbent works in a typical office environment and travels in- and out-of-state to attend meetings and trainings.

**COMPETENCIES/QUALIFICATIONS FOR APPOINTMENT**

**Knowledge, Skills and Abilities:**

Knowledge of:

- family law and the law in general;
- methods of legal research and analysis;
- laws and procedures regarding development of legislation and lobbying.

Skill in:

- legal writing;
- organizational management;
- time management.

Ability to:

- communicate effectively with various personalities both orally and in writing;;
- establish and maintain effective working relationships with a wide variety of people;
- convey ideas and future directions clearly;
- conduct legal research, analyze results, and write pertinent legal recommendations;
- interpret and apply the law and UJS policies to various situations;
- understand computer system capabilities at a professional level.

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**Education:**

Graduation from an ABA accredited law school and possession of a Juris Doctorate. Licensed to practice law in South Dakota or successful completion of the first South Dakota bar examination following employment with the SCAO.

**Experience:**

Experience working in the courts in the legal profession such as a trial court attorney, family law attorney, or a related field is preferred but not necessary.