

**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; and assisting with legislative development to secure and improve court operations and enhance access to justice and public trust.

DISTINGUISHING FEATURE

This position impacts administration of the court system and improves access to the court by providing legal advice and oversight on business matters concerning the State Court Administrator's Office (SCAO), UJS committees and programs, UJS personnel, and other governmental agencies and those seeking services entrusted to the UJS.

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 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.
2. Identifies key success factors in the UJS strategic plan; identifies, monitors, and analyzes measurements designed to assess the strategic plan effectiveness; and makes recommendations to maintain strategic plan focus to improve overall UJS operations and improve access to courts.
 - a. Researches, analyzes, and provides recommendations on policies, procedures, and comprehensive plans.
 - b. Researches and analyzes policies, procedures, and rules to determine how they will affect overall UJS operations.

STAFF ATTORNEY - SCAO

- c. Reviews and comments on best practices for court administration and operations.
 - d. Researches court operations and recommends implementation of changes to improve the UJS.
 - e. Identifies and recommends strategies based on research and changing national patterns.
3. Drafts and reviews contracts and legal documents dealing with a variety of complex legal issues to ensure programs and services are maintained and delivered within established timeframes and under certain conditions.
 - a. Researches laws and applies them to factual situations, foreseeing contractual issues to minimize liability for the UJS.
 - b. Works with UJS personnel and external vendors to ensure inclusion of appropriate legal provisions in documents.
 4. Staffs 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.
 5. Performs various legal research and advisory projects for the State Court Administrator's Office, the Justices, UJS personnel, committees, etc., 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.
 6. Assists with development of legislation favorable to the UJS.
 - a. Reviews UJS legislation for clarity of grammar and content.
 - b. Assists with lobbying as needed, including providing testimony and discussing the impact of bills with legislators.
 7. Visits reservations and establishes and enhances tribal relationships with Judges and staff to build and maintain good working relationships and in support of UJS's goals and objectives.
 8. 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

STAFF ATTORNEY - SCAO

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 when reviewing contracts; 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 in contracts; drafting forms; organizing meetings; ensuring public access to UJS information and forms; organizing pro se clinics; recommending testimony and lobbying techniques for proposed legislation; and making legal recommendations to resolve potential legal and litigation issues.

Decisions referred include decisions that may result in reprimand of referees; 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 staff, child support referees, 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; frequent contact with the Division of Budget and Finance, outside vendors, and UJS personnel who generate contracts regarding contract content and additional legal provisions necessary for the benefit of UJS; 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 Director of Policy and Legal Services, other lobbyists, legislators, UJS's internal legislative task force, and other state agencies regarding development and impact of legislation on the court system and its programs and procedures; and routine contact with UJS personnel, SCAO staff, Judges, and Justices to perform various legal research and advisory projects.

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;
- draft precise contracts, interpret contract terms, and negotiate and communicate contract terms;
- 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.

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.