

## **UNIFIED JUDICIAL SYSTEM POSITION DESCRIPTION**

### **CHIEF OF LEGAL RESEARCH/SECRETARY OF BOARD OF BAR EXAMINERS**

**CLASS CODE: 99-71-20**

#### **POSITION PURPOSE**

Provides extensive legal research, analysis, and advice to the Supreme Court; drafts the decisions, orders, or rules to dispose of legal issues; advises and provides legal and administrative support duties to the Board of Bar Examiners; and supervises the Supreme Court legal staff.

#### **DISTINGUISHING FEATURE**

This position requires extensive knowledge of the law, Bar examination procedures and protocol, character and fitness evaluations, 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. Provides legal research for the Supreme Court in various procedural contexts and recommends disposition of legal issues and drafts memoranda and proposed decisions, orders, or rules on matters before the Court, including:
  - a. Reviews records, performs research, and writes preargument memos for cases on the Court's calendar.
  - b. Drafts research memoranda and court opinions; and accumulates prior records relevant to statutory questions concerning the validity of the death penalty sentence in complex appellate cases.
  - c. Drafts research memoranda and court opinions in judicial and attorney disciplinary cases; expedited appeals heard before the Supreme Court; and other cases as directed by the Chief Justice.
  - d. Reads and screens briefs for placement of appeals on oral, non-oral, or per curiam calendar.
  - e. Researches and writes memos recommending the disposition of motions.
  - f. Advises the Chief Justice, Justices, and Supreme Court Clerk on miscellaneous legal matters, including researching issues and drafting orders.
  - g. Screens appeals for jurisdictional defects and provides recommendations for disposition.
  - h. Drafts and reviews Supreme Court rules, including new rules or amendments to existing rules, and reviews proposed rules from outside individuals and entities as requested by the Court.
  - i. Performs research related to conference agenda items identified by the Court as needing more detailed information.
  - j. Reviews records, prepares preargument memoranda, and drafts decisions in 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; provides research and drafts rule changes on behalf of the Board, including:
  - 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. 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, library management, 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 promptly; 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.

### **DECISION-MAKING AUTHORITY**

Decisions include evaluating legal issues, deciding the appropriate course of the research, composing 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 Examination proctors; determining the location of the bar examination; determining which files to flag and send to the Board of Bar Examiners for review; and any other decisions that require final approval or decision of the Supreme Court or the Board of Bar Examiners.

## **CONTACT WITH OTHERS AND PURPOSE**

This 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, and bar examination applicants to gather and provide information.

## **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;
- 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 clearly and concisely both orally and in writing;
- effectively manage highly stressful situations and remain patient and calm;
- establish credibility and integrity;
- maintain the 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 a diverse range of fields; or an equivalent combination of related education and experience.