

Classification Title: Attorney
DFI Agency Working Title: Attorney

Summary

Under the general supervision of the Chief Legal Counsel, ensure that violations of the Wisconsin Uniform Securities Law and Franchise Investment Law are appropriately addressed by coordinating the legal aspects of staff investigations assigned; preparing those cases for administrative or judicial proceedings; performing the recordkeeping and reporting functions required for a staff attorney; and providing legal advice and assistance as necessary for the department's other divisions/offices.

Objectives and Tasks

- 25% A. Coordination of the legal aspects of staff investigations
- A.1 Establish structure to be used by examiner in conducting investigation and supervise investigation.
 - A.2 Edit and approve documents and evidence presented by examiner for significance and admissibility as part of the case development process.
 - A.3 Edit and approve all witness interview reports, criminal complaints and similar documents sent to outside agencies.
 - A.4 Plan for and structure witness interviews and depositions, as well as participation where necessary.
 - A.5 Determine extent and magnitude of violations discovered.
 - A.6 Recommend case disposition to Chief Legal Counsel and Administrators/Directors.
 - A.7 Negotiate resolution of case with target and their attorneys.
- 25% B. Preparation of cases for administrative or judicial proceedings
- B.1 Conduct comprehensive and expert legal research on a case-by-case basis.
 - B.2 Prepare accurate and timely administrative petitions, orders, pleadings, briefs, and memoranda of law for administrative or judicial proceedings.
 - B.3 Assist District Attorneys and the Wisconsin Attorney General with preparation of securities and franchise cases, including serving as an expert witness when necessary.
 - B.4 Respond to inquiries and obtain information from the United States Department of Justice, Securities and Exchange Commission, the Financial Industry

Regulatory Authority (FINRA), and other regulatory and law enforcement agencies on the state and federal level.

- 20% C. Assist Chief Legal Counsel in providing legal advice on program, policy and administrative issues.
- C.1 Under the Direction of the Chief Legal Counsel, draft formal and informal legal opinions to the Secretary and Deputy Secretary and Department administrators/directors on questions and issues affecting DFI and the program administered by the department.
 - C.2 Assist in the review and implementation of department policies and procedures in areas where significant legal issues are present including legislative initiatives, program changes and development and human resource management.
 - C.3 Work with the Chief Legal Counsel to promote the enactment of legislation affecting the department's program areas and Wisconsin's financial institutions.
 - C.4 Conduct legal research needed to provide legal opinions and advice.
 - C.5 Provide oral opinions on legal questions when formal treatment is not necessary.
 - C.6 Draft and review contracts and advise on the interpretation of contract language.
- 20% D. Representation of the department in legal actions and proceedings.
- D.1 Represent the department in legal actions and proceedings when appointed as special counsel or by agreement with the Department of Justice.
 - D.2 Represent the department, where appropriate, in cases coming before the State Personnel Commission (personnel appeals, discrimination charges), the Equal Rights Division, and the U.S. Equal Employment Opportunity Commission.
 - D.3 As necessary, represent the department in unemployment compensation appeal cases and in grievance arbitration hearings.
 - D.4 Represent the department in administrative proceedings before the Banking, Savings, and Credit Unions Review Boards or in other administrative proceedings.
 - D.5 Assist Chief Legal Counsel in reviewing and preparing all department requests for legal representation before forwarding to the Department of Justice, district attorneys and, where appropriate, the Office of the Governor.

- 10% E. Complete required record-keeping and reporting functions of staff attorney.
- E.1 Efficiently and comprehensively manage caseload assigned.
 - E.2 File all hard copy and electronic materials produced and received.
 - E.3 Ensure that investigators have entered and cross-referenced relevant data on computer systems.
 - E.4 Prepare status reports for Chief Legal Counsel.
 - E.5 Prepare correspondence for Chief Legal Counsel.

Knowledge /Skills/Abilities (KSA):

Licensed to practice Law in Wisconsin.

Knowledge of Wisconsin Uniform Securities Law and Franchise Investment Law.

Knowledge of federal securities laws and rules.

Substantial knowledge of securities industry.

Knowledge of the criminal justice system.

Knowledge of litigation procedures (civil and criminal).

Knowledge in basic accounting principles and practices.

Skills in making and communicating clear, concise legal decisions.

Skills investigating and researching as well as examining and cross-examining witnesses.

Ability to utilize computer-based resources.