

## POSITION DESCRIPTION – Legal Associate

### 14. POSITION SUMMARY

The Division of Hearings and Appeals (DHA) receives approximately 10,000 hearing requests per year from the Department of Corrections. Each of these requests are scheduled for hearing, with approximately 60% of those hearings rescheduled at least once. Hearings must be scheduled in accordance with requirements set forth in Wis. Admin. Code § HA 2.05(4)(a) and Wis. Stats. § 302.335. There are approximately 8900 cases closed each year. There are approximately 3300 decisions issued with around 1140 of those decisions appealed to the division administrator. This position manages issuance of administrative law judges' decisions and appeals of those decisions, reviews and issues appeal decisions, and drafts, issues, and amends Revocation Orders and Warrants. Duties are performed utilizing a proprietary case management program (ACES). This position requires extensive knowledge of statutes and administrative rules, including but not limited to:

#### **Revocation Hearings:**

Wis. Admin. Code HA2.05 (7)(h), Wis. Admin. Code HA2.05(7)(i), Wis. Admin. Code HA2.05(9)(b).

Wisconsin Statutes Chapters 302, 304, 973.

- 50%    A:    Manage final orders and appeals within parameters established by Wis. Admin. Code §HA 2.
- A.1    Independently initiate correspondence and/or respond to questions from DHA staff, private attorneys, public defenders, state agency representatives, offenders or other interested parties regarding appeals of decisions issued and the appeal process of hearings conducted for the Department of Corrections.
  - A.2    Maintain records in ACES regarding the status of decisions, appeals, and final orders.
  - A.3    Monitor status of decisions and appeals to ensure final decisions, orders, and warrants are issued within required deadlines.
  - A.4    Determine parties requiring notification that a decision has been appealed and notify them of any appeal that DHA receives.
  - A.5    Draft final orders and warrants pursuant to Wis. Admin. Code §HA 2 and amend final orders and warrants as needed.
  - A.6    Obtain authorized signature for final orders and warrants and determine appropriate distribution.
  - A.7    Process case files for cases that have been closed.
- 25%    B:    Review and manage decisions resulting from hearings held for the Department of Corrections.

- B.1. Review decisions for completeness, signature of the administrative law judge and, if needed, the signature of the assistant administrator.
  - B.2. Confirm decision reflects accurate custody credit has been ordered as provided in Wis. Stats. §§ 302.43, 304.072, 973.155.
  - B.3. Ensure decisions are mailed within the deadlines provided under Wis. Admin. Code §HA 2.
  - B.4. Determine the outcome of the hearing and update appropriate information in ACES.
  - B.5. Independently respond to inquiries on decision status or division policies and procedures from DHA employees, other government agencies, defense attorneys and the general public.
  - B.6. Review rehearing requests to determine jurisdiction, timeliness, issues, and parties. Prepare a synopsis for the assistant administrator to determine whether to grant or deny the rehearing request under the authority provided in *State ex rel. Booker v. Schwarz*, 2004 WI App 50, 270 Wis. 2d 745, 678 N.W.2d 361 (Ct. App. 2004).
- 20% C. Support administrative law judges by assisting with a variety of decisions, hearing transcripts and other miscellaneous duties.
- C.1. Prepare professional looking legal decisions, miscellaneous documents and correspondence for seven administrative law judges.
  - C.2. Provide support preparing correspondence and assisting with special reports.
  - C.3. Retrieve/return revocation hearing tapes/digital recordings and files when requested by management staff or administrative law judges.
  - C.4. Prepare legally sufficient transcripts of recorded testimony from a variety of hearing types as assigned.
  - C.5. Edit transcript for accuracy, make appropriate copies and distribute according to division procedures.
- 5% D: Maintain database and physical case files and provide support to management staff, scheduling staff, and administrative law judges.
- D.1. Close offender records, finalize computer database files, and compile offender's record in the appropriate closed case file.
  - D.2. Draft miscellaneous decisions, orders, and other legal documents and correspondence.
  - D.3. Work closely with programmers and supervisor during the development and implementation of database modifications.
  - D.4. Attend and participate in periodic administrative law judge staff meetings.
  - D.5. Assist with special projects as assigned.
  - D.6. Act as the backup for the revocation hearing scheduler.
  - D.7. Back up other Division staff as needed.
  - D.8. Perform miscellaneous duties as assigned.

*Skills, Knowledge, and Ability*

- Strong oral, written, and interpersonal communication skills
- Strong business writing skills including proper use of English language, grammar, punctuation, proofreading skills, and spelling
- Critical thinking skills, accurate analysis, judgment, research, problem solving, and organization skills
- Knowledge and skill in legal terminology, documents, files, and modern office practices and procedures
- Knowledge of various court systems' rules of format and filing requirements.
- Proficient with Microsoft Office Suite, i.e., MS Word 2010, database management, basic functions of system software, internet searches, computer security concerns, and computer ethics
- Ability to work independently and handle stressful situations in a professional manner
- Ability to multi-task and establish and maintain effective team working relationships
- Legal research techniques
- Case and trial preparation practices and procedures
- Legal document preparation and control
- Ability to analyze case documents/files
- Knowledge of the legal citation rules and legal library system
- Ability to collect information at the legal staff's request and render it accordingly
- Ability to schedule workload to optimize productivity and meet deadlines