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## Attorney 12 Type II Level C

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### **GS-0905-12 (Type II, Level C)**

NOTE: THE SENTENCE IN PART I DESCRIBING THE REASON FOR THE POSITION AND PARTS II AND III IN THEIR ENTIRETY ARE PERMANENT PARTS OF THE LIBRARY AND MAY NOT BE CHANGED OR EDITED.

#### **I. INTRODUCTION**

The incumbent works on cases or legal issues of moderate complexity where the factual situation is often complicated and clear precedents are not readily available.

#### **II. MAJOR DUTIES AND RESPONSIBILITIES**

Performs a variety of legal duties such as: researching legal issues which are often factually complex; developing drafts of letters, memoranda, and legal documents for themselves or a higher graded attorney; participating in administrative or judicial hearings; or conducting the preliminary or complete review of applications which pose complex factual and legal questions where the applicant is seeking specific governmental protection or approval. The incumbent is expected to be able to independently present legal conclusions to adjudicatory authorities, high level organizational officials, as well as outside counsel and other interested groups.

#### **III. FACTOR LEVELS**

Factor 1. Knowledge Required by the Position Level 1-7, 1250 points

Knowledge of research strategies and techniques sufficient to research legal issues where no clearly applicable precedents are available or it is arguable which precedents apply. Knowledge of statutes and regulations authorizing agency action as well as in-depth knowledge of the relevant case law. Knowledge of procedural rules and regulations such as Federal Rules of Civil Procedure (FRCP) or appellate procedures sufficient to meet all procedural requirements inherent in the type of issue with which the incumbent is dealing (e.g. sufficient knowledge of Merit Systems Protection Board procedures to conduct all aspects of hearing for agency).

Factor 2. Supervisory Controls Level 2-4, 450 points

Independently plans and organizes work, investigates the facts, searches legal precedents, drafts the necessary legal documents, and develops conclusions and recommendations. Completed work is assumed to be accurate with respect to legal citations, treatment of facts and other aspects of technical treatment and may be subject to review for soundness of approach and argument, application of legal principles, and consistency with governing policies, procedures, and regulations of the agency.

Factor 3. Guidelines Level 3-4, 450 points

Guidelines such as agency guidelines and regulations, legal precedents, and legal references are applicable in some instances but require initiative and resourcefulness in applying to the specific factual situation. The incumbent must be able to deviate from the traditional methods of dealing with the specific legal issue to develop new or alternative approaches to the problem.

Factor 4. Complexity Level 4-5, 325 points

The complexity of legal matters is characterized by difficult legal or factual questions. There is often an absence of clearly applicable precedents due to the novelty of the issue and the complexity of the factual situation. In

choosing the correct legal strategy for resolving the specific legal issue, the incumbent must apply a sound knowledge of the specific legal field and creativity to adapt legal theories to the specific factual situation.

Factor 5. Scope and Effect Level 5-5, 325 points

The impact of the matters affects (economically, socially, or politically), either directly or as a legal or administrative precedent, a significant segment of private or public interests, the manufacturers of a given product, or an important program of a government agency. Large sums of money are often either directly or indirectly involved and there is often considerable interest from a significant segment of the population. Because of the potential impact of these legal matters, they are often strongly contested where formal hearings are involved by individuals or corporations.

Factor 6. Personal Contacts Level 6-3, 60 points

Contacts are with high level personnel within the agency as well as high level personnel in other agencies. Contacts may also be with industry representatives, defendants, petitioners and their attorneys, State and local government officials, and private organizations. Contacts are in a relatively unstructured setting with incumbent required to exercise a great deal of discretion.

Factor 7. Purpose of Contacts Level 7-3, 120 points

Purpose of contacts at this level is normally to present complex cases, legal opinions or program advice which require the incumbent to be able to motivate and convince the parties at issue to accept the position of the incumbent. Therefore, the incumbent must be skillful in presenting their case in order to gain the desired result. When providing legal advice to program officials, the incumbent must be skillful in presenting the legal options and their ramifications.

Factor 8. Physical Demands Level 8-1, 5 points

The work is sedentary requiring no special physical demands.

Factor 9. Work Environment Level 9-1, 5 points

The work environment involves everyday risks or discomforts which require normal safety precautions typical of such places as offices, meeting and training rooms, and libraries.

II-C

This position is exempt from coverage under the Fair Labor Standards Act.

#### **IV. UNIQUE POSITION REQUIREMENTS**

(Last Updated: November 4, 1994)

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