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Attorney 13 Type III Level C

GS-0905-13 (Type III, 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 extreme complexity characterized by one or more of the following: 1) extremely complex and difficult legal or factual issues requiring a high order of legal endeavor with the incumbent often having to balance conflicting interests; 2) matters that can have the effect of substantially broadening or restricting the activities of an agency or have an important impact on a major industry whose economic position affects the health and stability of the general economy; or 3) the matter involves, directly or indirectly, very large sums of money and are frequently vigorously contested by extremely capable legal talent.

II. MAJOR DUTIES AND RESPONSIBILITIES

Performs a variety of legal duties relative to cases or legal issues of extreme difficulty as characterized by one or more of the traits described above in I. Incumbent usually works as part of a team addressing a broad legal issue. Typically, the incumbent would be conducting legal research, determining what facts or legal issues are relevant, and determining, in conjunction with their supervisor, the legal conclusion based upon the facts and the relevant legal authorities. In adversarial proceedings, the incumbent may present portions of the agency's position but would be working under the guidance of a supervisor or higher graded attorney. Where the incumbent is reviewing applications for specific governmental approval or protection, the applications in question will possess one or more of the characteristics described in I. above. The incumbent will have final approval on all applications reviewed.

III. FACTOR LEVELS

Factor 1. Knowledge Required by the Position Level 1-8, 1550 points

Knowledge of research strategies and techniques sufficient to research the most complex legal issues. The issues researched are almost always factually complex and are in areas of the law which are often in a continual state of evolution, thus requiring atypical and innovative research strategies. Knowledge at the expert level of the controlling statutes, regulations, and case law pertaining to the subject matter of the particular issue sufficient to develop legal opinions whether through the litigation process or administratively, which may alter the state of the law in the particular area or expand the charter of the agency. Skill in written and oral expression sufficient to pursue the particular legal issue against opposition which vigorously contests the agency position and is highly sophisticated and talented usually involving top attorneys in both the private and public sector.

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 5-6, 450 points

Legal matters dealt with at this level can have the effect of substantially broadening or restricting the activities of an agency or have an important impact on a major industry whose economic position affects the health and stability of the general economy.

These matters also typically have an important impact on major private or public interests and involve, either directly or indirectly, very large sums of money and are frequently vigorously contested by extremely capable legal talent. At this level, interest in the legal matter is normally nationwide.

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 requires 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 effect. 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.

III-C

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

IV. UNIQUE POSITION REQUIREMENTS

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