

POSITION DESCRIPTION

IMPORTANT: PLEASE READ INSTRUCTIONS ON PAGES 2 and 3

OSER-DCLR-10 (Rev. 08-2010)
State of Wisconsin
Office of State Employment Relations

1. Position No. 326987	2. Cert / Reclass Request No.	3. Agency No. 165
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4. NAME OF EMPLOYEE	5. DEPARTMENT, UNIT, WORK ADDRESS Department of Safety and Professional Services Division of Professional Credential Processing 1400 E. Washington Ave Madison, WI 53703
6. CLASSIFICATION TITLE OF POSITION Attorney	
7. CLASS TITLE OPTION (to be filled out by Human Resources Office)	8. NAME AND CLASS OF FORMER INCUMBENT Amber Cardenas, Paralegal
9. AGENCY WORKING TITLE OF POSITION Credentialing Attorney	10. NAME & CLASS OF EMPLOYEES PERFORMING SIMILAR DUTIES Amber Cardenas, Attorney (Board Counsel)
11. NAME AND CLASS OF FIRST-LINE SUPERVISOR Kirsten Reader	12. FROM APPROXIMATELY WHAT DATE HAS THE EMPLOYEE PERFORMED THE WORK DESCRIBED BELOW?

13. DOES THIS POSITION SUPERVISE SUBORDINATE EMPLOYEES IN PERMANENT POSITIONS? Yes No
IF YES, COMPLETE AND ATTACH A SUPERVISOR EXCLUSION ANALYSIS FORM (OSER-DCLR-84).

14. POSITION SUMMARY – PLEASE DESCRIBE BELOW THE MAJOR GOALS OF THIS POSITION:

See attached

15. DESCRIBE THE GOALS AND WORKER ACTIVITIES OF THIS POSITION (Please see sample format and instructions on Page 3.)

- GOALS: Describe the major achievements, outputs, or results. List them in descending order of importance.
- WORKER ACTIVITIES: Under each goal, list the worker activities performed to meet that goal.
- TIME %: Include for goals and major worker activities.

TIME %	GOALS AND WORKER ACTIVITIES	(Continue on attached sheets)
	See attached	

16. SUPERVISORY SECTION - TO BE COMPLETED BY THE FIRST LINE SUPERVISOR OF THIS POSITION (See Instructions on Page 2)

- a. The supervision, direction, and review given to the work of this position is close limited general.
- b. The statements and time estimates above and on attachments accurately describe the work assigned to the position.
(Please initial and date attachments.)

Signature of first-line supervisor _____ Date _____

17. EMPLOYEE SECTION - TO BE COMPLETED BY THE INCUMBENT OF THIS POSITION

I have read and understand that the statements and time estimates above and on attachments are a description of the functions assigned my position.
(Please initial and date attachments.)

Signature of employee _____ Date _____

18. Signature of Personnel Manager _____ Date _____

DISTRIBUTE COPIES OF SIGNED FORM TO:

- P-FILE
- OFFICE OF STATE EMPLOYMENT RELATIONS
- EMPLOYEE
- DEPARTMENT
- CERT REQUEST COPY

**DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING
ATTORNEY
Position #326987**

POSITION SUMMARY

Working under general supervision, this position is responsible for providing legal services to the Department of Safety and Professional Services (Department) and attached regulatory board on matters related to credentialing of professionals regulated by the Department.

GOALS AND WORKER ACTIVITIES:

60% A. Provide Legal Support and Guidance to the Department, Boards, and Division of Professional Credential Processing.

- A1. Advise boards, councils, committees, and agency staff on credentialing issues including legal requirements to obtain a credential, and information legally sufficient to establish a credentialing requirement.
- A2. Draft and review a variety of legal documents such as licenses, permits, authorizations, application denials, letters of intent to deny an application, requests for additional information, orders, proposed decisions, variances, and various other credentialing documents.
- A3. Research legal issues involving credentialing; prepare related memorandum or legal opinion as requested.
- A4. Inform applicant, Department, and credentialing staff of application case development under review and update ICE checklist accordingly. Act as liaison to applicant regarding application file.
- A5. Identify, compile, and organize OLAS, electronic and paper application file documents such as court records, criminal histories, and supporting documents provided by applicants.
- A6. Plan and manage application files. Analyze information to determine legal sufficiency and necessary follow-up. Request additional information as needed.
- A7. Serve as a Department Deputy Record Custodian for records in the Division of Professional Credential Processing. Identify, locate and compile licensing records to respond to open records requests.
- A8. Answer and respond timely to inquiries related to application files.
- A9. Monitor the DSPSCredParalegal Outlook inbox and respond accordingly to customer inquiries.
- A10. Assist Credentialing Paralegal as needed including the preparation of board submissions, presenting information to boards during board meetings, and coordinating presentations and appearances at board meetings.
- A11. Assist Board Counsel when needed to provide legal support during board, council and/or committee meetings.
- A12. Assist Chief Legal Counsel as needed.

20% B. Coordinate and Conduct Conviction Review Process.

- B1. Review application and renewal files for conviction history and request additional information as needed.
- B2. Request criminal background checks from the Department of Justice (DOJ) for applications that indicate convictions, arrests, pending charges and alcohol or other drug assessments.
- B3. Retrieve and review FBI reports from DOJ databases. Retrieve and review CCAP records as necessary.
- B4. Consult with the Division of Legal Services and Compliance staff to coordinate analysis of conviction review and to avoid overlapping action.
- B5. Review and analyze all conviction review records obtained to determine if records are legally sufficient to support a denial of a credential. Make recommendations to Chief Legal Counsel, Board Counsel, and/or Board liaison. Draft a summary memo for Board review when necessary.
- B6. Use delegated authority to determine whether there is a substantial relationship between the conviction record and credential when possible.

15% C. Represent the Boards in Hearings before Administrative Law Judges concerning Credential Denials.

- C1. Represent board and/or department in prehearings and hearings, prepare all necessary hearing documents, research all necessary issues, retain and prepare potential witnesses, present evidence, cross-examine witnesses, and present arguments. Negotiate settlements such as limited credentials outside of hearing if possible.

5% D. Other Duties as Assigned.

KNOWLEDGE, SKILLS AND ABILITIES

- 1. General knowledge of legal principles and their applications, including administrative law, rules of evidence, and Wisconsin state and federal case law, statutes, and regulations.
- 2. Effective legal research and writing skills, including the preparation and evaluation of legal memorandum, briefs, opinions/orders, and pleadings.
- 3. Knowledge of civil procedure.
- 4. General understanding of State and Federal governmental organizational structure and interagency relationships.
- 5. Knowledge of open meetings and public records law.
- 6. Effective written and verbal communication skills.
- 7. Effective and logical organizational skills.
- 8. Ability to assemble, analyze and organize facts and to logically, clearly, and concisely present evidence and other materials in accepted oral and written legal forms.
- 8. Ability to establish and maintain effective working relationships with department management, political officials, regulatory authorities, co-workers, opposing counsel, parties to proceedings, and the public.
- 9. Conflict resolution skills.
- 10. Ability to prioritize a high volume workload.
- 11. Ability to use computers, computer programs and legal databases (e.g., Westlaw, Lexis/Nexis, LOIS,

Microsoft Office Suite, etc.).

12. Ability to act in a professional and courteous manner.

Special Requirement: License to practice law in Wisconsin.