

ATTORNEY II

DISTINGUISHING FEATURES OF THE CLASS: This is legal work involving either the preparation of documents and legal actions for the Department of Social Services or supervision of the Debt Collection Unit in the Department of Law. The position in Social Services is not subject to supervision in regard to legal decisions although close cooperation is maintained with the County Attorney, with general supervision received from the Director of Legal Services and/or Attorney III and administrative direction received from the Commissioner of Social Services. The position in the Department of Law receives general supervision from the County Attorney. Does related work as required.

TYPICAL WORK ACTIVITIES:

Common Duties:

Provides legal advise and assistance;
Prepares legal documents as required (e.g. petitions, briefs, motion papers, opinions, etc.);
Represents Rockland County in hearings, court cases and other legal proceedings;
Researches legal questions;
Keeps current on appropriate state and federal laws and regulations and their applicability to departmental operation.

In the Department of Social Services:

Utilizes all legal remedies to insure compliance with Social Welfare Law;
Assists Public Assistance unit in legal problems associated with neglect or custody of clients, family court cases, estates, sale of mortgages, availability of resources and recovery of over-payments;
Assists Child Welfare unit in preparation, review or defense of petitions for temporary custody of neglected or abused children, petitions for agency adoptions, habeas corpus proceedings and consent proceedings of spouses for surrender of children;
Provides in-service training for casework staff in interpretation and application of Social Welfare and/or related laws;
May interview legally responsible relatives.

In the Department of Law:

Supervises Debt Collection Task Force members and maintains communication with relevant department heads;
Evaluates cases to decide whether to commence legal proceedings against debtors in question;
Prepares demands for pre-trial discovery and conducts depositions;
Participates in settlement negotiations and makes recommendations to relevant departments;
Prepares demands for depositions of judgment debtors and conducts same;
Prepares reports on the activities of the Debt Collection Task Force.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Good knowledge of civil court procedure and the rules of evidence; skill in preparing and drafting legal instruments; ability to analyze, appraise and apply legal principles, facts and precedents to legal problems; good command of language; good professional judgment.

In Social Services: Good knowledge of the principles and practices of common law of a county, state, and federal laws as they apply to social welfare; familiarity with the general functions and administrative activities of the Department of Social Services.

(over)

In the Department of Law: Good knowledge of laws applicable to debt collection; ability to supervise the activities of a unit involved in debt collection.

MINIMUM QUALIFICATIONS: Possession of a license to practice law in New York State and one (1) year of experience in the practice of law.

NOTE: Must provide a current certificate of good standing.

SPECIAL REQUIREMENT: License to practice law in the State of New York must be maintained throughout the course of employment in this title.

For positions within the Child Support Enforcement Unit at the Rockland County Department of Social Services:

SPECIAL REQUIREMENT: Per Internal Revenue Service (IRS) Security Guidelines for Federal, State and Local Agencies (IRS Publication 1075, Section 5.1.1), employees with access to Federal Tax Information (FTI) must complete a background check which is favorably adjudicated. The background check will include FBI fingerprinting; a check of local law enforcement agencies where the employee has lived, worked and/or attended school within the last 5 years, and if applicable, of the appropriate agency for any identified results and verification of citizenship/residency. You will be required to pay for a processing fee for the fingerprinting. NOTES: (1) A criminal record does not necessarily disqualify you from employment or access to FTI. An individualized determination will be made as to how any conviction would impact suitability to handle FTI. (2) Federal guidelines require that a reinvestigation will be conducted within ten years of the date of the previous background investigation for each employee requiring access to FTI. NY law does not currently permit reinvestigation but may be changed at any time to permit reinvestigation pursuant to the federal guidelines.

Please refer to the FTI policy posted on the Rockland County Department of Social Services website for further information.