

**POSITION DESCRIPTION**

**LAW CLK, GS-0904-11**

SETID	HUD01	JOB CODE	FC0019	DATE	09/26/2009	OPM CERT #			
PAY PLAN	GS	SERIES	0904	GRADE	11	PAY BASIS	Per Annum	FUNC CLASS	NA
WORK TITLE	LAW CLK								
SPVY LEVEL	Other	POSITION SENSITIVITY	Non Snstv	LEO POSITION		MEDICAL CHECK REQ.	No	BUS CODE	1120
FLSA	Exempt	PATCOB	Professnl	EXECUTIVE DISCLOSURE	No	EMPL/FIN INTEREST	No	FUND SOURCE	Approp Fnd
CLASSIFIER									
CLASS STANDARD									
DATE CLASSIFIED	04/02/2005								

**MAJOR DUTIES**

**LAW CLERK (LEGAL HONORS INTERN),  
GS-904-11**

Introductory Statement: The Department of Housing and Urban Development is the nation's housing agency committed to increasing homeownership, particularly among minorities; creating affordable housing opportunities for low-income Americans; and providing housing assistance to the homeless, elderly, people with disabilities, and people living with AIDS. The Department also promotes economic and community development and enforces the nation's fair housing laws. The Department's Office of General Counsel (OGC) is a nationwide organization of approximately 400 attorneys located in Headquarters in Washington, DC, ten regional offices, each headed by a Regional Counsel, and thirty-six field offices, each headed by a Chief Counsel and or Associate Regional Counsel for Housing Finance and Programs. As members of the leading organization dedicated to providing advice on legal issues related to affordable housing and urban development programs, attorneys in the OGC play a vital role in helping HUD accomplish its core goals and incredibly important mission. In addition to providing legal counsel and advice on all aspects of federal housing and urban development laws, regulations, and policies, OGC attorneys advise HUD on complex closings, including mixed financing transactions for residential development and health care facilities; fair housing enforcement relation to alleged discrimination complaint based on race, disability and family status; and enforcement of housing, consumer protection and regulatory responsibilities. Attorneys in the OGC also draft legislation and regulations, represent HUD in defensive litigation and personnel law actions, provide ethics advice, provide legal assistance for necessary procurements and or serve program clients as program counsel by providing guidance on the statues and regulations that govern the operations of all HUD programs. The Office of General Counsel is the legal advisory office to the Department providing legal counsel and assistance with respect to all programs and activities. The functional offices in OGC include: Assisted Housing and Community Development, Finance and Administrative Law, Ethics and Personnel Law, Insured Housing, Legislation and Regulations, Litigation, Fair Housing, and Program Enforcement. OGC also works with HUD's Departmental Enforcement Center on program and regulatory enforcement through administrative and judicial proceedings. The Office of General Counsel works closely with the Department of Justice on legal issues and cases as well as both public and private organizations. This entry level legal position is located in the Office of General Counsel and requires graduation from an accredited law school but does not require admittance to the bar. All Legal Honors Participants are required to pass a bar examination and be active members of the bar (any U.S. jurisdiction) within 14 months of entry on duty. As a Law Clerk, the duties and responsibilities are designed to provide on-the-job knowledge and abilities through observation and an ability to analyze legal concepts, philosophies and policies of the Department. Assignments provided the incumbent represent complex and difficult legal questions requiring extensive legal research, analysis and evaluation of program information. The incumbent is generally responsible for the completion of work assignments from beginning to end. This position requires graduation from an accredited law school. All Honors interns are required to pass a bar examination and be active members of the bar (any U.S. jurisdiction) within 14 months of entry on duty. The position requires the exercise of independent initiative, resourcefulness, and sound judgment as well as the ability to work effectively with

others.

## MAJOR DUTIES

### Conducts Legal Research 35%

Researches and drafts dispositive motions for administrative hearings.

Prepares and executes extensive discovery. Prepares and handles legal review and the litigation process for assigned cases. Conducts extensive legal research of complex and difficult legal questions and prepares all potential legal arguments in connection with cases. Performs factual and legal research to support litigation and transactional matters. Reviews closing documents to determine whether they are accurate and meet HUD requirements. Conducts investigations of limited scope to obtain facts, study legal precedents, and prepare recommendations for review of a senior attorney. Tasks include: Conducted investigations of limited scope to obtain facts, study legal precedents, and prepare recommendations for review of a senior attorney.

### Prepares and Evaluates Legal Documents 35%

Prepares clear, concise and well-written legal opinions and memoranda for issuance by the General Counsel or Regional Counsel to program clients.

Reviews statutes, regulations and case law in order to provide legal opinions on a variety of matters. Compiles accurate and timely weekly reports, and as applicable, using automated workload tracking systems such as, Enterprise Tracking System (ETS) and TEAPOTS to reflect status of current workload. Reviews and makes recommendations for clearance or assists in drafting or modification of proposed Federal Register regulations within assigned areas of specialization, or as otherwise assigned. Prepares and reviews Departmental issuances and program forms, legal documents and forms, issuances, such as Handbooks, Notices, and supplement program regulations and provides the detailed instructions and procedures necessary for effective, nationwide implementation of program statutes and regulations. Prepares memoranda and reports outlining the facts and legal issues, analyzing the factual and legal issues involved, explaining the application of legal principles and precedents, and justifying recommendations or conclusions. Tasks include: Prepared memoranda and reports outlining the facts and legal issues involved.

### Provides Legal Counsel 30%

Provides legal advice, counsel, and representation to clients that is prompt, thorough, organized, persuasive, and professional. Reviews and analyzes for legal sufficiency program client decisions. Represents the Department (with more senior attorneys) at hearings. Reviews documents and participates in conferences with DOJ attorneys, HUD clients, and outside counsel and parties for the purpose of gathering information required for providing legal advice and services. Attends court proceedings, as necessary. Provides advice to program officials regarding specific statutes and legislation which impact HUD programs. The incumbent performs other duties and assignments, as required of the same level of difficulty as specified above. Tasks include: Provided advice to program officials regarding specific statutes and legislation which impacted agency programs.

## Factor Statements

### Factor 1-7 Knowledge Required by the Position

- Progressive ability to quickly acquire knowledge of Federal laws and practices related to the programs and mission of HUD.
- Progressive ability to quickly acquire knowledge of grants, loans, and cooperative agreements under the Department's assisted housing programs.
- Progressive ability to quickly acquire knowledge of all aspects of Federal statutory and case law, executive orders, rules, regulations and policies that pertain to the Department's programs and activities.
- Knowledge of or ability to quickly acquire knowledge of the law governing the function, structure, authority and activities of the state and local agencies whose activities are related to the activities of the Department.

- Progressive ability to interpret status, perform legal research and write articulate legal opinions.
- Ability to be orally persuasive.
- Ability to draft legal documents.
- Ability to handle a heavy workload and to meet deadlines.
- Ability to establish effective working and reporting relationships with professional peers and management officials at Headquarters and within multi-state jurisdiction.

**Factor 2-4 Supervisory Controls**

Assignments provided incumbent are given in terms of broad objectives and achievements desired with incumbent independently working out the arrangements, format, etc., for presentation to superior. Superior is available for resolution of complex and difficult portions of assignments. However, incumbent makes appropriate recommendations and suggestions pertinent to assignments being performed. Work performed is reviewed by superior as to consistency of purpose and comprehensiveness and completeness.

**Factor 3-3 Guidelines**

Guidelines are generally available but do not appear to be completely applicable. For example, many factual situations or issues may be encountered that do not appear to be the same as earlier situations to which the guidelines could be specifically applied, or the connection between the factual situation and the cause of action or legal question is not clear. The employee must search for appropriate guidelines from numerous sources (such as Federal laws, regulations, precedents, as well as State, municipal, county and local laws and ordinances of concern to the program), and use judgment regarding the depth and thoroughness of the search. Typically there are many related precedents that must be carefully analyzed to determine which most nearly fit the situation, and the employee must use considerable judgment in interpreting and adapting guidelines to specific issues.

**Factor 4-4 Complexity**

The employee performs varied duties encompassing diverse and complex technical issues or problems (e.g., carries out case development and documentation activities as a case progresses through the administrative appellate system). Factual situations vary significantly from assignment to assignment and are difficult to ascertain because there is a large body of interrelated facts to be analyzed, information from different sources is sometimes in conflict, only indirect evidence is available on some issues, and the interpretation of such evidence is disputed. The employee must devise or evaluate and adapt previous fact-finding and problem solving methods to cope with voluminous documentation, effectively organize data into exhibits, and develop corroborative evidence to fill gaps or resolve conflicting statements. The employee must reconcile conflicting policies and facts, identify and elicit additional information, and make a number of decisions at various stages such as identifying issues; defining the problem in terms compatible with the laws, policies, or regulations; interpreting considerable data; and weighing facts in order to formulate a legally and factually supportable position. The work is further complicated by multiple assignments or the need to combine case development with other functions, such as digesting current legal proceedings on a daily basis. The employee must set priorities and plan work carefully to meet deadlines for each stage of the assignment.

**Factor 5-3 Scope and Effect**

The purpose of the work is to resolve problems or questions through application of established criteria and methods, such as reviewing matters to determine agency position in similar cases, deciding on and carrying out the necessary procedural steps, and recommending and justifying the need to pursue any further actions such as litigation. The work product directly affects the unit's ability to meet production goals and to provide service to the public. Actions and recommendations affect the outcome of cases and the well being of the individuals involved.

**Factor 6-3 Personal Contacts**

Personal contacts are generally with claimants, appellants, their attorneys, potential witnesses,

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and industry representatives in moderately unstructured situations where each contact is different and the specialist must define the purpose of the meeting and clarify the roles of the various participants. Contacts may

**JOB COMPETENCIES** (The full range of competencies for the occupational series is provided for information and development purposes; not every competency displayed is required at the individual position level.)

**EVALUATION STATEMENT**