

**Alaska Court System
Class Specification**

COURT OF APPEALS STAFF ATTORNEY I

Range: 22

EEO4: 02

SOC: 23-1010

Class Code: C5205

Definition:

Under the general supervision of the Chief Judge of the Court of Appeals, a Court of Appeals Staff Attorney performs legal work for the judges of the Court of Appeals. In addition, in consultation with the Chief Judge and the other judges of the Court, as well as the Court's other Staff Attorneys, a Court of Appeals Staff Attorney provides legal analysis and assistance to the Chief Judge, the Clerk of the Appellate Courts, and the staff of the Appellate Court Clerk's Office regarding matters of administration and procedure.

Distinguishing Characteristics:

Court of Appeals Staff Attorney I is the entry level of the series.

Positions in this job class series are flexibly-staffed. Progression to the higher level may occur when the incumbent: 1) successfully completes a specified training plan; 2) meets all other specified terms of the flexible staffing agreement; 3) meets the minimum qualifications of the higher level; 4) is certified by the supervisor as capable to perform at the higher level; and 5) is approved by the Human Resources Department.

Legal Research and Writing: A Court of Appeals Staff Attorney is expected to be competent in legal research and writing, and to be familiar with the general principles of criminal law and procedure. A Court of Appeals Staff Attorney prepares legal memoranda in misdemeanor appeals and in selected felony appeals. In addition, at the request of the judge assigned to a case, a Court of Appeals Staff Attorney drafts proposed decisions for consideration by the Court of Appeals.

Administrative Duties: A Court of Appeals Staff Attorney responds to inquiries from, and provides assistance to, the staff of the Appellate Court Clerk's Office and the Chief Judge of the Court of Appeals regarding the proper legal classification of appellate cases and motions filed in the Court of Appeals, and the procedures to be followed in handling cases and motions. A Court of Appeals Staff Attorney also assigns cases and motions to the individual judges of the Court of Appeals. A Court of Appeals Staff Attorney supervises the Court of Appeals law clerks in their administrative task of checking attorney's briefs and excerpts of record to ensure that these documents conform to the provisions of the Alaska Rules of Appellate Procedure that specify the format and content of pleadings.

Supervision Received: A Court of Appeals Staff Attorney works under the general evaluative supervision of the Chief Judge of the Court of Appeals. In addition, when performing legal research and writing in a specific case, a Court of Appeals Staff Attorney works under the supervision of the

individual Court of Appeals judge to whom that case is assigned.

Supervision Exercised: A Court of Appeals Staff Attorney does not exercise any evaluative supervision. A Court of Appeals Staff Attorney supervises the administrative tasks of Court of Appeals law clerks and assists in the annual training of those law clerks. In consultation with the Court's other Staff Attorneys or with the judges of the Court of Appeals, a Court of Appeals Staff Attorney responds to inquiries from, and provides guidance to, the Appellate Court Clerk's Office regarding the proper legal classification of cases, the assignment of cases, and the resolution of motions filed in the Court of Appeals.

Examples of Duties:

Screen and evaluate the briefs, motions, and other pleadings filed in the Court for conformity to the applicable appellate rules and procedures governing format and content.

Screen Court of Appeals cases (including emergency motions and applications) after the briefings are completed and cases are ready for assignment. This screening includes:

- (1) identifying the legal and factual arguments presented in the briefs;
- (2) flagging cases where a law clerk memorandum may not be necessary; and
- (3) making recommendations concerning the best handling of the case - for instance, whether the Court should decide the case by issuing a published opinion or a non-published (memorandum) decision, or whether the case should be consolidated with other similar cases for purposes of consideration, argument, or decision.

Under established Court of Appeals internal procedures, assign cases to individual judges of the Court of Appeals.

In misdemeanor appeals and selected felony appeals, prepare legal memoranda that thoroughly analyze and evaluate the issues presented in that case.

At the request of the individual judge to whom a case is assigned, assist in drafting an opinion for the consideration of the Court.

Perform the technical review of draft opinions in misdemeanor cases and selected felony cases to ensure the accuracy of the facts recited in the opinion, the correctness of the legal propositions relied on by the Court, and the logic of the Court's decision. When necessary, draft a supplemental memorandum recommending substantive changes to a circulating draft decision, and explain these proposed changes.

Perform a final review of all Court of Appeals draft decisions (both felony and misdemeanor, and both published opinions and memorandum opinions) for accuracy, for conformity with established legal principles and precedent, and for conformity with Court of Appeals internal rules.

Train and supervise Court of Appeals law clerks when the law clerks perform the technical reviews of draft court decisions, and when the law clerks check the legal briefs submitted by attorneys to ensure that these briefs conform to the requirements of the Appellate Rules.

Draft the orders rejecting non-conforming briefs.

Knowledge, Skills, Abilities:

A Court of Appeals Staff Attorney I must have knowledge of:

- General legal principles and their applications;
- Methods of legal research, and sources for finding the law (constitutional, statutory, administrative, and case law);
- Procedures of the Court of Appeals; and
- The rules of trial procedure and evidence.

A Court of Appeals Staff Attorney I must have the ability to:

- Carry out legal research;
- Reason logically;
- Analyze and appraise facts under applicable legal principles and precedents to resolve individual cases and problems;
- Prepare legal memoranda and oral presentations that clearly and concisely (1) assemble and organize the facts of the case, (2) present and explain the pertinent law, and (3) describe the application of that law to the facts;
- Analyze legal documents for clarity and legal sufficiency; and
- Work effectively and maintain cooperative relationships with the judges of the Court of Appeals, with the other staff attorneys, law clerks, and administrative assistants of the Court, and with the personnel of the Appellate Court Clerk's Office.

Minimum Qualifications:

Graduation from an accredited law school and admission to a state bar.

Preferred Qualifications:

At least two complete years of full-time legal experience (which can include working as a judicial law clerk), OR one complete year of full-time legal experience in the field of criminal law (which

can include working as a judicial law clerk and handling a substantial number of criminal cases).

This position is in the partially exempt service; the incumbent serves “at-will” to the appointing authority.

07/11 – Original; entry level established, flexible staffing approved.