

ROWAN COUNTY HUMAN RESOURCES

JOB DESCRIPTION

Job Title: Attorney II - DSS (Child Support Services/Adult Services)
Department: Social Services
Revised: March 2021

Class : Professional
FLSA: Exempt

This job description supersedes any prior description for the Attorney II-DSS (Child Support Services/Adult Services) classification.

GENERAL DESCRIPTION

Professional legal work serving as staff attorney for the Department of Social Services. Work is performed independently to provide legal representation, including regular court appearances, research, advice, drafting legal documents, particularly in the areas of child support and matters related to adult guardianship, but also in other general matters related to the delivery of social services programs. Timely, organized, and appropriate legal action is necessary to meet state and federal guidelines in child support establishment and enforcement actions, as well as to ensure the protection of vulnerable adults. This position also oversees the operations of the child support division. Supervision is provided to a staff of clerical and paraprofessional personnel. Work is performed under the general supervision of the Department Director and is reviewed through conferences, reports and results of work. This class is differentiated from the Attorney I by the size and scope, and complexity of program(s) and department(s) in addition to the degree of responsibility of work performed.

ESSENTIAL JOB FUNCTIONS (Any one position may not include all of the duties listed, nor do the listed examples include all tasks which may be found in positions of this class.)+

Represents child support agents in the District Court two days each week; participates in negotiations; reviews all proffered orders and revises, as needed; discusses legal questions with judges and other attorneys; controls the court calendar to ensure efficient use of time and completion of all work; conducts trials; drafts post-trial orders, as needed.

Advises Child Support Division supervisors and agents at the DSS office on strategy formation and case management practices; develops and revises Division policies and practices to conform with legal changes.

Conducts legal research and analyzes legal questions and procedures involving civil law, civil procedure, Interstate law, criminal law, criminal procedure, federal bankruptcy law; reviews and approves legal documents for filing with the Clerk of Superior Court; draft legal pleadings including, but not limited to, complaints, motions, orders, liens, proofs of claim; letters to judges, clerks of court, State personnel, N.C. Attorney General legal staff, and citizens.

Oversees all Child Support Division operations.

Supervises Child Support supervisors; approves leave requests; prepares annual performance evaluations; prepares and presents reports on division operations to the Social Services Board.

Advises the Adult Protective Services staff on state law and civil procedure; conducts any necessary legal research; advises APS social workers on legal requirements and effects of prospective decisions; assists in drafting petitions alleging incompetence; drafts motions to modify guardianship and for appointment of a guardian of the estate; represents social workers in hearings before the Clerk of Superior Court or the Assistant Clerk to include presenting evidence, cross examining witnesses and proffering legal arguments; appears before

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the Clerk on non-DSS petitions and motions when DSS is noticed; actively participates in hearings by presenting evidence and cross-examining witnesses.

Provides legal advice to DSS staff, supervisors and Program Administrators in other divisions regarding fraud investigations, Medicaid eligibility, interpreting real property transfers, interpreting wills and trusts, and explaining criminal charges and dispositions.

Fills in for child welfare attorney in court and/or in advising staff on critical, time-sensitive child protection matters when needed.

OTHER JOB FUNCTIONS

Performs related duties as required.

Management reserves the right to add or amend duties at any time.

KNOWLEDGE, SKILLS, AND ABILITIES

Thorough knowledge of civil law and procedure, legal jurisprudence and theory, and statutory and caselaw as it pertains to child support, adult protective services, and incompetency.

Ability to conduct civil or criminal litigation.

Ability to perform legal research in accordance with initial guidance as to methods of approach, source material available, and policy and precedent of the office.

Ability to interpret and apply constitutional provisions, statutes, administrative regulations, court decisions, and other precedents.

Ability to analyze facts, evidence, and legal instruments.

Ability to express conclusions and arguments clearly and logically in oral and written form.

Ability to plan, program, supervise, and control the work of employees involved in diversified program areas.

PHYSICAL REQUIREMENTS

The work in this class is primarily sedentary in nature. Physical requirements include sitting for extended periods of time, walking, bending, stooping, and lifting books and files of approximately 10 lbs or less. Work may include extended periods of time viewing a computer video monitor and/or operating a keyboard. Work includes operation of a motor vehicle. Employee may be exposed to hazardous materials.

EXPOSURE CONTROL

Work activity does not entail predictable or unpredictable exposure to blood or body fluids.

MINIMUM EXPERIENCE AND TRAINING

Graduation from a recognized school of law and four years of professional legal experience; or an equivalent combination of training and experience. Must possess a license to practice law in the State of North Carolina. A valid driver's license is required.

This job description does not create an employment contract, implied or otherwise.

