

Position Description (EP)

Read each heading carefully before proceeding. Make statements simple, brief, and complete. Be certain the form is signed. Send the original to SRS Personnel Services. Supervisors and incumbents are responsible for the completion of this form.

CHECK ONE: () NEW POSITION (X) EXISTING POSITION

PART I - Position Description

1. Agency Name DCF		9. Position Number K6224021		10. Budget Program Number 24211	
2. Employee Name (leave blank if position vacant)			11. Present Class Title (if existing position) Attorney II		
3. Division Wichita Regional Office			12. Proposed Class Title		
4. Section			13. Allocation		
5. Unit Legal		14 (a). Effective Date		14 (b). FLSA Code	
6. Location (address where employee works) City Sedgwick County Wichita			15. By _____ Approved		
7. (Circle appropriate time) Full Time X Perm X Inter Part Time Temp % 100			16. Audit Date: _____ By: Date: _____ By:		
8. Regular Hours (circle appropriate time) From: 8:00 AM To: 5:00 PM			17. Position Reviews Date: _____ By:		

PART II - Organizational Information

Area for use by Personnel Office

18 (a). Briefly describe why this position exists. (What is the purpose, goal, or mission of the position)

This position is an Attorney for the Regional Office. This position is primarily responsible for the representation of DCF in child in need of care cases in the Sedgwick County Juvenile Court. It provides legal representation to agency personnel in administrative and court proceedings covering all program areas within the department. Cases cover the entire range of agency programs. It provides legal representation as needed or requested in administrative and judicial forums. The attorney must analyze, develop, and organize the case in accordance with agency policies and procedures. This position is responsible for reviewing all decisions of regional staff regarding legal ramifications or possibilities resulting from actions of agency staff and rendering legal opinions as to appropriateness of action and/or validity of decisions. This position involves advanced legal work and is in charge of legal work for the department having legal issues of major complexity. This position may include supervision of clerical staff.

18 (b). If this is a request to reallocate a position, briefly describe the reorganization, reassignment of work, new functionality added by law or other factors which changed the duties and responsibilities of the position.

19. Who is the supervisor of this position? (Who assigns work, gives directions, answers questions and is directly in charge.)

Name:	Title:	Position Number:
David W. Davies	Chief Litigation Counsel	K0151235

Who evaluates the work of an incumbent in this position.

Name:	Title:	Position Number:
David W. Davies	Chief Litigation Counsel	K0151235

20. a) How much latitude is allowed employee in completing the work? b) What kinds of instructions, methods and guidelines are given to the employee in this position to help do the work? c) State how and in what detail assignments are made

The Attorney II has a great deal of latitude in the performance of his or her duties. He/She is responsible for meeting all court imposed deadlines. Instructions and guidelines are provided by the Regional Attorney on an as needed or as requested basis. The majority of this attorney's work will come from the WRO Children and Families Division. The attorney is given general instructions and guidelines to help do the routine aspects of the work and is given specific instructions and guidelines for certain cases and situations that warrant such detail.

- d) Which statement best describes the result of error in action or decision of this employee.
- () Minimal property damage, minor injury, minor disruption of the work flow.
 - () Moderate loss of time, injury, damage, or adverse impact on health and welfare of others.
 - (X) Major program failure, major property loss, or serious injury of incapacitation.
 - () Loss of life, disruption of operations of a major agency.

This Attorney II represents the entire agency in matters involving abused and neglected children, as well as mentally and physically disabled adults in need of guardians and conservators. Any serious error in this representation could potentially place the agency in a position of substantial financial liability, and could detrimentally alter the lives of those children and adults who this agency is designed to serve.

21. Describe the work of this position using this page or one additional page only. (Use the following format for describing job duties)

What is the action being done (use an action verb); to whom or what is the action directed (object of action); why is the action being done (describe the result or outcome expected); *How is the action expected to be performed (describe the manner, methods, techniques or procedures in which the task is currently performed. For each task state: Who reviews it? How often? What is reviewed for?

The incumbent of this position has access to protected health information (PHI) under the provisions of the Health Information Portability Act of 1996 (HIPAA) Privacy Rule. PHI must be treated in accordance with provisions of the HIPAA Privacy Regulation including the requirements for safeguarding, releasing and recording the release of such information. The incumbent has been trained in the provision of the HIPAA Privacy Regulations as they relate to the duties of this position and has signed a confidentiality agreement.

This position will participate in team building which may include team meetings, working collaboratively to find solutions to customer problems and completing work assignments in a timely manner. This position uses program expertise and involves other team members in exploring options; works toward the goal of the team and need(s) of the customer as paramount; ensures relationship among team members are constructive and demonstrate mutual support, respect, trust, openness and values diversity; utilizes a Family Centered approach in exploring positive outcomes.

An essential function is that the Attorney II must work in harmonious and cooperative fashion with other staff to provide efficient and effective customer services. Uses free time as available to assist other staff in the completion of work assignments: perform other tasks as assigned by the Regional Attorney. Contributes to a positive work environment through a positive, helpful, courteous demeanor towards staff, customers, and the general public. Adheres to appropriate standards of conduct regarding the use of leave, reports to work on time and in the designated fashion.

Number Each Task and Indicate Percent of Time and Identity of each function as essential or marginal by placing an E or M next to the % of time for each task. Essential functions are the primary job duties for which the position was created and that an employee must be able to perform, with or without reasonable accommodations. A marginal function is a peripheral, incident or minimal part of the position

No.	%	EOR M	
			<u>Litigation</u>
1.	40%	E	<p>Termination of Parental Rights. Appropriately attends to all assigned responsibilities. Attends agency staffings and confers with agency personnel in reference to possible future court appearances involving abused and neglected children. Appears in Juvenile Court to represent the agency in Child in Need of Care proceedings specifically termination of parental rights. In Sedgwick County Juvenile Court, agency attorneys appear on behalf of the agency after the District Attorney's Office withdraws and/or after disposition when the child is placed in the agency's custody.</p>
2.	20%	E	<p>Permanency Placement Appropriately attends to all assigned responsibilities. Attends agency staffings and confers with agency personnel in reference to possible future court appearances involving abused and neglected children. Appears in Juvenile Court to represent the agency in Child in Need of Care proceedings specifically regarding reviews of placement and reintegration. In Sedgwick County Juvenile Court, agency attorneys appear on behalf of the agency after the District Attorney's Office withdraws and/or after disposition when the child is placed in the agency's custody.</p>
3.	10%	E	<p>Other Matters Appropriately attends to all assigned responsibilities. Attends agency staffings and confers with agency personnel in reference to possible future court appearances involving abused and neglected children. Appears in Juvenile Court to represent the agency in Child in Need of Care proceedings specifically regarding Best Interest Staffing Appeals, Secure Care, Pretrial and Contempt hearings. In Sedgwick County Juvenile Court, agency attorneys appear on behalf of the agency after the District Attorney's Office withdraws and/or after disposition when the child is placed in the agency's custody.</p> <p>The cases assigned to the attorney range in difficulty from simple to complex in nature. The attorney exercises independent professional judgment in the processing of assigned cases. This includes decisions concerning the various aspects of litigation such as prehearing or trial tactics, negotiations, fact stipulations, recommendations concerning settlement offers, and recommendations whether to appeal adverse decisions. The attorney may be individually assigned to a case or as a member of a litigation team.</p> <p>The attorney will have contact with agency staff, consumers, witnesses, private attorneys, hearing officers, and judges during the course of processing assigned cases. The work product is generally reviewed for results and he or she is given wide latitude as to how the task assignments are completed.</p>
			<u>Consultation and Training</u>
4.	10%	E	<p>Manages assigned responsibilities with competence, demonstrating initiative and good judgment. Upgrades his/her own professional skills through the use of research and professional seminars and assists in the legal training of agency personnel.</p>
5.	10%	E	<p>Confers with agency personnel in reference to possible future court appearances involving impaired persons, appears in probate hearings, represents the agency in administrative hearings, writes briefs and any other additional representation of the agency as may be deemed necessary by the Regional Attorney.</p>
4.	10%	E	<p>This position may include supervision and delegation of assignment to the Legal Division clerical staff.</p>
			* The description of how the work is to be performed does not preclude the consideration of reasonable accommodation(s) for qualified persons with a disability.

22. List the consequences of not performing the essential functions of this position as identified in Section 21.

Failure to perform duties could create fiscal obligations for state and/or program disruption.

23. a. If work involves leadership, supervisory, or management responsibilities, check the statement which best describes the position

- () Lead worker assigns, trains, schedules, oversees, or reviews work of others.
- () Plans, staffs, evaluates, and directs work of employees of a work unit.
- () Delegates authority to carry out work of a unit to subordinate supervisors or managers.

b. List the class titles and position numbers of all persons who are supervised directly by employee in this position.

24. For what purpose, with whom and how frequently are contacts made with the public, other employees or officials?

By virtue of the manner in which our 18th Judicial District Court operates, particularly in the Juvenile Division, the Attorney II may be required to make courtroom appearances almost daily. When not involved with that type of contact with court staff, other attorneys and judges, the attorney is involved with advising other agency employees. This attorney also has responsibility for tracking our Journal entries and may contact other attorneys, workers, and court personnel as part of these duties.

25. What hazards, risks or discomforts exist on the job or in the work environment?

There are physical threats of harm on occasion from disgruntled parents of children in custody.

26. List machines or equipment which are currently used to complete the tasks or production standards for this position. Indicate the frequency with which they are used.

Telephone, personal computer, copy machine, fax machine, automobile - Daily

PART III - Education, Experience and Physical Requirements Information

27. Minimum Qualifications as stated in the State of Kansas Class Specifications.

Juris Doctorate and license to practice law in the State of Kansas

28. SPECIAL REQUIREMENTS

A. State any additional qualifications for this position that are necessary to perform the essential functions of this position. (License, registration or certification).

Law Degree (LLB or JD) from an accredited law school.

B. List any skill codes or selective certification required for this position. Selective certification must first be approved by the State Division of Personnel Services.

Licensed to practice law in the State of Kansas

C. List preferred education or experience that may be used to screen applicants.

Knowledge and use of personal computer

Litigation experience

29. Describe the physical characteristics of the job as they relate to essential functions (focus on results, not methods of obtaining results).

30. Describe any methods, techniques or procedures that must be used to insure safety for equipment, employees, clients and others.

PART IV - Signatures

Signature of Employee

Date

Katrina Kosmala 2-18-13

Signature of Personnel Officer

Date

Signature of Supervisor

Date

Signature of Agency Head or Appointing
Authority

Date