

New York State Department of Civil Service
DIVISION OF CLASSIFICATION & COMPENSATION

Classification Standard

Occ. Code 2592100

Collection and Civil Prosecution Specialist 1, Grade 14	2592100
Collection and Civil Prosecution Specialist 2, Grade 17	2592200

Brief Description of Class Series

Collection and Civil Prosecution Specialists work closely with attorneys; trace, locate, and contact debtors referred for non-payment of their State obligations; and attempt to collect payment of debts. Incumbents arrange for debtors' voluntary compliance or extract it through income executions, fines, and court action; and perform related paralegal work, such as monitoring files in which legal process has been served, drafting legal documents for review by attorneys, performing occasional legal research, monitoring enforcement of judgment, and closing files.

Positions are classified in the Department of Law.

Distinguishing Characteristics

Collection and Civil Prosecution Specialist 1: full performance level; under the general direction of an attorney and supervision of a Collection and Civil Prosecution Specialist 2, independently processes debtor accounts valued under \$10,000; and assists attorneys in the prosecution of larger accounts.

Collection and Civil Prosecution Specialist 2: supervisory level; under the general direction of an attorney, supervises a group of Collection and Civil Prosecution Specialists 1 engaged in collection and related paralegal and record-keeping activities.

Related Classes

Consumer Frauds Representatives mediate consumer complaints, perform field investigations, and conduct consumer education and outreach programs.

Legal Assistants perform a variety of paralegal activities that require formal education and experience; compile and organize files and documentation; prepare and assist in the preparation of legal documents and forms; catalog information; update databases or spreadsheets; and prepare correspondence and subpoenas.

Illustrative Duties

Collection and Civil Prosecution Specialist 1

Under the general direction of an Assistant Attorney General and supervision of a Collection and Civil Prosecution Specialist 2, processes debtor accounts.

- Reviews unpaid accounts referred by State agencies, such as the State University of New York, Higher Education Services Corporation, Department of Health, and Department of Agriculture and Markets; and determines if the account is sufficiently documented and economically feasible to prosecute.
- Prepares and supports write-off recommendations for accounts in which collection appears to be unlikely or insubstantial.
- Investigates and assembles pertinent information, including legal identities of debtors and liable third parties, evidence of obligation and default, payment histories, credit records, and asset inventories, for collectable accounts.
- Traces the current whereabouts of debtors and liable third parties, using various research tools and techniques.
- Seeks contact with debtors, liable third parties, or their legal representatives by telephone or through correspondence; and advises them of their debt obligations and the consequences of non-payment, which may include a judgment being entered, judgment enforcement, and additional charges to their account.
- Arranges payment schedules and tracks payments received; prepares billings for insurance and other third-party payers; and negotiates settlement terms within guidelines authorized by the supervising attorney.
- Obtains attorney approval to initiate court action to compel compliance if unable to arrange voluntary debtor compliance; and drafts various legal documents for attorney's signature, such as subpoenas, affidavits, interrogatories, motions, and pleadings to secure a judgment.
- Analyzes adversaries' responses for sufficiency and evaluates any objections received.
- Enforces money judgments by locating debtor assets and initiating various collections procedures, such as garnishments and liens.
- Maintains tracking systems to monitor case status, legal developments, repayments, and closures.

- Prepares final court documents and releases any remaining restrictions, such as salary attachments and transcript holds.

Assists litigating attorneys in the prosecution of large debtor accounts; performs legal research; gathers evidence; interviews witnesses; acts as liaison with referring agencies; responds to inquiries from defendants, third parties, or their representatives; manages trial exhibits; prepares, files, and tracks relevant court papers; and monitors payment schedules.

Collection and Civil Prosecution Specialist 2

Under the general direction of an Assistant Attorney General, performs the above duties; and supervises a group of Collection and Civil Prosecution Specialists 1.

- Determines staff assignments; and coordinates and monitors caseloads to meet deadlines and achieve equitable work distribution.
- Monitors the quality and quantity of work completed by staff; completes performance evaluations; and initiates appropriate counseling and/or disciplinary actions for subordinate staff.
- Plans and conducts staff training in response to identified needs or to introduce changes in regulations, case law, and procedures; prepares training materials; and instructs staff on rules, regulations, policies, standards, and methodology.
- Participates in recruitment and orientation activities for new staff.
- Serves as technical advisor to staff and responds to their questions.
- Prepares narrative and statistical reports reflecting collection and case activity.

Minimum Qualifications

Collection and Civil Prosecution Specialist 1

Open Competitive: two years of experience in the collection of debts or as a Legal Assistant.

Substitution: an associate's or higher degree in legal assistant/paralegal studies or law, or completion of a legal assistant/paralegal studies non-degree certificate program may substitute for the two years of required experience.

Collection and Civil Prosecution Specialist 2

Promotion: One year of service as a Collection and Civil Prosecution Specialist 1.

Note: Classification Standards illustrate the nature, extent, and scope of duties and responsibilities of the classes they describe. Standards cannot and do not include all the work that might be appropriately performed by a class. The minimum qualifications above are those required for appointment at the time the Classification Standard was written. Please contact the Division of Staffing Services for current information on minimum requirements for appointment or examination.

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