

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

Classification Standard

**Occ. Code 6501400**

**Associate Attorney, Grade 28**

Brief Description of Class

Associate Attorneys provide legal assistance and support to agency program administrators at the policymaking level and prepare legal cases for which there is little precedent, and which have a major impact on an agency's mission and program. Associate Attorneys supervise a group of lower level attorneys either in a specialized area of law in connection with a single agency program or in a legal office. Many Associate Attorneys are engaged in the legal aspects of a single program in an agency and thus are considered to be legal specialists. Incumbents in this class must be admitted to the New York State Bar.

Distinguishing Characteristics

Positions in this class may perform a wide range of assignments, and the tasks performed may vary considerably within the framework described in this standard. There are some positions that serve as members of a very small legal office and receive a wide range of assignments, while others, usually in larger offices, may receive a limited variety of work. Positions prepare and present cases before quasi-judicial or administrative bodies, but most do not engage in trial actions in courts unless they are employed in the Department of Law or in those agencies whose counsel are authorized by statute to appear and represent the agency in court. In such instances, an Associate Attorney may specialize in litigation activity and, as such, may not provide on-going supervision to a legal staff.

*Associate Attorney:* performs the full range of legal activities in support of one or more programs in a State agency; supervises a staff of lower level Attorneys; provides legal advice and legal services in matters that are novel, sensitive, potentially precedent setting, or involve a considerable amount of money; regularly serves as a legal advisor to program administrators and managers; performs all legal work with little supervisory review.

## Related Classes

Supervising Attorneys are only classified in a few State Agencies and serve as second in charge of a major legal division, program, or legal office. They supervise Associate and Senior Attorneys and provide expert legal advice and opinions to management and staff. Those positions with a parenthesis perform similar activities, but within a recognized legal specialty.

Positions that perform similar tasks as stated in this standard but are placed in either the non-competitive or exempt jurisdictional class are classified under the title of Associate Counsel. Associate Counsels assist the counsel of a State department or agency or head of a legal unit of a State agency.

## Illustrative Tasks

Associate Attorneys perform similar activities and tasks to those described for a Senior Attorney, in legal areas in agency programs or legal offices that affect the agency mission and programs and where there are difficult legal matters that are novel, sensitive, or have high cost implications. Such activities include the following:

- Perform all legal work, including analysis of legal issues, preparing briefs, researching statutes, decisions, opinions and other sources for use in preparation of briefs or recommendations, drafting and reviewing legislation, contracts, FOIL responses, leases and agreements and presenting oral arguments either at judicial or administrative proceedings
- Incumbents analyze legal opinions, briefs and other material, and prepare memoranda of law; confer with administrators or outside parties to recommend legal action in order to mediate, negotiate or settle legal issues related to the agency's mission and programs.
- Prepare and present agency position, arguments and cases, and examine witnesses at judicial, quasi-judicial and administrative proceedings.
- May attend hearings and administrative proceedings, and prepare findings, orders or decisions according to law, evidence presented, and legal precedents.
- Discuss proposed and new legislation with agency personnel, legislators, and legal staff; advise agency personnel concerning legislation that affects agency programs and prepare drafts of proposed legislation in order to provide a comprehensive agency legislative program.
- Recommend changes in agency rules, regulation, and policy statements to respond to new legislation, court decisions, and requests for changes.

- Provide legal advice and opinions to agency staff, complainants, and others in connection with the activities and services provided by the agency.
- Negotiate and prepare legal documents such as contracts, deeds and leases.
- Prepare legal actions to enforce agency laws, rules, and regulations, and review claims and approve payments to collect fees for services rendered by the agency.
- Supervise lower level attorneys and/or lower-level professional, administrative, and clerical staff in a range of assignments from clear-cut legal opinions to matters where legal precedent is unclear.
- Educate staff and coordinate training opportunities, which may include conducting seminars, workshops, and presentations.

### Minimum Qualifications

#### *Associate Attorney*

Promotion: one year of service as a Senior Attorney.

**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.

Date: 8/2024

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