

Position Classification Standard for Paralegal Specialist Series, GS-0950

Table of Contents

SERIES DEFINITION.....	2
SERIES COVERAGE	2
EXCLUSIONS.....	3
AUTHORIZED TITLES	4
GRADING POSITIONS.....	4
GRADE CONVERSION TABLE	5
FACTOR LEVEL DESCRIPTIONS.....	5
FACTOR 1, KNOWLEDGE REQUIRED BY THE POSITION.....	5
FACTOR 2, SUPERVISORY CONTROLS.....	7
FACTOR 3, GUIDELINES.....	8
FACTOR 4, COMPLEXITY.....	10
FACTOR 5, SCOPE AND EFFECT.....	12
FACTOR 6, PERSONAL CONTACTS	13
FACTOR 7, PURPOSE OF CONTACTS	14
FACTOR 8, PHYSICAL DEMANDS.....	15
FACTOR 9, WORK ENVIRONMENT	16
OPM BENCHMARK DESCRIPTIONS	16
PARALEGAL SPECIALIST, GS-0950-5, BMK # 01.....	16
PARALEGAL SPECIALIST, GS-0905-7, BMK #01.....	18
PARALEGAL SPECIALIST, GS-0950-9, BMK # 01.....	21
PARALEGAL SPECIALIST, GS-0950-11, BMK #01.....	23
PARALEGAL SPECIALIST, GS-0950-11, BMK #01.....	26
EXPLANATORY MEMORANDUM.....	30

SERIES DEFINITION

This series includes positions not requiring professional legal competence which involve various legal assistance duties, of a type not classifiable in some other series in the Legal and Kindred Group, in connection with functions such as hearings, appeals, litigation, or advisory services. The specialists analyze the legal impact of legislative developments and administrative and judicial decisions, opinions, determinations, and rulings on agency programs; conduct research for the preparation of legal opinions on matters of interest to the agency; perform substantive legal analysis of requests for information under the provisions of various acts; or other similar legal support functions which require discretion and independent judgment in the application of a specialized knowledge of laws, precedent decisions, regulations, agency policies and practices, and judicial or administrative proceedings. Such knowledge is less than that represented by graduation from a recognized law school, and may have been gained from formalized, professionally instructed agency or educational institution training or from professionally supervised on-the-job training. While the paramount knowledge requirements of this series are legal, some positions also require a practical knowledge of subject matter areas related to the agency's substantive programs.

This supersedes the series definition for the Paralegal Specialist Series, GS-0950, issued September 1975.

SERIES COVERAGE

This series covers a variety of positions that involve legal work which is usually ancillary to the work of attorneys, administrative law judges, administrative agency appellate boards, or other duly designated managers of legal work in areas such as litigation; the provision of legal opinions; or agency appellate or review board proceedings, actions of regulatory boards or commissions, and similar adjudicative functions based on hearings conducted under the Administrative Procedure Act or other statutory appellate authority. Duties may include examining case files to determine issues and sufficiency of evidence or documentation; searching for legal precedents, analyzing their applicability, and preparing digests of points of law involved; drafting briefs, other litigation papers, or advisory opinions for review and approval of attorneys; analyzing legal issues involved in requests for agency records; analyzing subpoenaed documents for possible patterns and trends relevant to litigation; initiating additional factfinding by agency personnel in other offices; developing and justifying recommendations for agency action on legal issues; analyzing appellate records to isolate facts pertinent to distinct legal issues; interviewing and evaluating potential witnesses; preparing for hearings and court appearances by briefing attorneys or administrative law judges on the issues and by assembling and arranging case files, documents, and exhibits; attending court sessions or hearings to be informed on progress, the development of new issues, issues that have been resolved, and areas that need more emphasis; and testifying in court concerning exhibits prepared.

Paralegal specialists are usually located in an organizational entity staffed with attorneys or administrative law judges where the more commonly occurring legal activities can be handled by

professionally supervised paraprofessionals. However, there may be units or organizations which contain paralegal specialists but which contain no professionally qualified legal staff. In such situations, the paralegal specialist typically works in a close functional relationship with another unit containing legal professionals who provide technical guidance and review and who ultimately have responsibility for the legal issues.

Many positions in this series also require a substantive knowledge of other fields, such as disability evaluation, industrial practices, management sciences, and natural resources. Such knowledges are gained through university-level education, formalized agency training courses, or professionally supervised on-the-job training.

EXCLUSIONS

Excluded from this series are:

1. Positions that require legal training equivalent to that represented by graduation from a recognized law school and bar membership. Such positions are classifiable to the appropriate professional series in the Legal and Kindred Group, GS-900, or in the [Copyright, Patent, and Trade-Mark Group, GS-1200](#).
2. Positions that apply established instructions, rules, regulations, precedents, and procedures in performing legal support and case management duties, such as case tracking, scheduling court appearances, notifying witnesses of appearances, composing and typing routinely required legal forms, classifying and filing legal documents, and similar recurring duties involving standardized procedures. Such positions are classifiable to the [Job Family Position Classification Standard for Assistance Work in the Legal and Kindred Group, GS-0900](#).
3. Positions that apply a specialized knowledge of a body of law and its implementing regulations in examining, adjudicating, adjusting, or reconsidering claims or applications filed under the provisions of particular Federal laws and that do not require the knowledge of judicial or administrative proceedings, formal or informal rules of evidence, witness examination and evaluation, or other related knowledge and skills characteristic of Paralegal Specialists. Such positions are classifiable to the appropriate specialized series in this group, such as the [Land Law Examining Series, GS-0965](#), or other claims examining series.
4. Positions that are primarily involved in the application of a specialized knowledge of particular laws, regulations, precedents, and agency practices as they relate to the processing and examination of legal documents belong in the [Job Family Position Classification Standard for Assistance Work in the Legal and Kindred Group, GS-0900](#). Such positions usually do not require the knowledge of legal systems, administrative law, and legal research and analytical techniques that are typically applied by paralegal specialists.
5. Positions in which legal knowledge is incidental or subordinate to program or investigative knowledge and skills used to determine compliance with specific aspects of laws and regulations pertaining to an agency's enforcement or compliance mission. Although such positions may include recommending and

participating in litigation, or administrative judgments, they are classifiable to the appropriate series in the [Investigation Group, GS-1800](#), or other specialized compliance series, such as the [Equal Opportunity Compliance Series, GS-0360](#), or the [Consumer Safety Series, GS-0696](#).

6. Positions that perform quasi-legal duties pertaining to the specialized fields of patents, copyrights and trademarks. Such positions are classifiable to the appropriate series in the [Copyright, Patent and Trade-Mark Group, GS-1200](#).
7. Positions in which substantial legal knowledge and writing or editing skills are equally important qualification requirements. Such positions are classifiable to the legal specialization of the [Technical Writer and Editing Series, GS-1083](#).
8. Positions in which the paramount knowledge requirement is in a particular subject-matter field, such as personnel management, and which also require a knowledge of the laws, rules, regulations and precedent court decisions that apply to that subject-matter area belong in the appropriate subject-matter series.

AUTHORIZED TITLES

The authorized titles for positions in this series are *Paralegal Specialist* and *Supervisory Paralegal Specialist*.

GRADING POSITIONS

Positions should be evaluated on factor-by-factor basis, using, to the extent possible, one or more of the comparable Office of Personnel Management benchmark position descriptions or the factor level descriptions for the Paralegal Specialist Series, or both. Only the designated point values may be used. More complete instructions for evaluating positions are contained in the [Introduction to the Position Classification Standards](#).

Please note that the absence of a factor level description or benchmark for positions at any particular grade level does not preclude evaluation of positions at that grade. Should the work being evaluated exceed the highest level for a factor level description in this standard or where the work is not described in a factor level description or benchmark, the [Primary Standard](#) and/or another related FES standard may be used to evaluate the position in conjunction with, and as an extension of, the criteria contained in this standard.

Supervisory and managerial positions that fully meet or exceed the minimum level of supervisory responsibility defined in the [General Schedule Supervisory Guide](#) should be evaluated through application that Guide.

GRADE CONVERSION TABLE

Total points on all evaluation factors are converted to GS grade as follows:

GS Grade	Point Range
5	855-1100
6	1105-1350
7	1355-1600
8	1605-1850
9	1855-2100
10	2105-2350
11	2355-2750
12	2755-3150
13	3155-3600
14	3605-4050
15	4055- up

FACTOR LEVEL DESCRIPTIONS

These factor level descriptions show the application of the Primary Standard to the Paralegal Specialist Series. They describe the levels of the various factors (and give the corresponding point values) typically found in this series.

FACTOR 1, KNOWLEDGE REQUIRED BY THE POSITION

Factor 1 measures the nature and extent of information or facts the paralegal specialist must understand to do the work (e.g., agency regulations, laws, court opinions) and the nature and extent of skills (e.g., analytical ability, interviewing, clear presentation of analyses) to apply these knowledge. To be used as a basis for selecting a level under this factor, a knowledge must be required and applied.

Level 1-5 -- 750 points

A foundation of basic knowledge (such as may have been gained through a baccalaureate educational program or its equivalent in experience, training, or self-study) and sufficient skill to perform developmental assignments, rapidly learn the technical work, and advance to higher level work in the occupation. This includes knowledge and skill in factfinding, problem analysis, problem solving, writing, interpreting regulations and policies, and a practical understanding of the legal activities and substantive mission of the organization.

OR

Equivalent knowledge and skill.

Level 1-6 -- 950 points

In addition to the knowledge and skills described at level 1-5, skill in applying basic legal principles and concepts, legal research methods, and data analysis techniques to perform independently recurring assignments which are typically covered by established precedents. Assignments typically require all or most of the following:

- Practical knowledge of basic legal principles and concepts to interpret and apply, or explain to others the application of, a body of law, regulations, precedents, and practices covering one or more recurring types of legal actions encountered in the agency.
- Knowledge of the principles, concepts, and methods of legal research and reference sources such as agency manuals, directives, issuances, court reports, appellate records, or commercial legal publications sufficient to locate appropriate data such as applicable precedents, legislative history, and commentaries which bear on particular legal issues.
- Knowledge of legal techniques and skills necessary to analyze both issues of fact and issues of law in order to prepare digests of case decisions, evaluate the applicability of precedents, or to draft briefs, other litigation papers, advisory opinions, or findings.
- Knowledge of formal or informal rules of evidence and skill necessary to evaluate the adequacy and/or admissibility of evidence, to request additional data or further investigation, when needed, or to develop narrative or graphic exhibits to support specified legal arguments.

OR

Equivalent knowledge and skill.

Level 1-7 -- 1250 points

In addition to the knowledge and skills represented by the 1-6 level, an in-depth knowledge of the application of various laws, court and/or administrative decisions and interpretations, rules, regulations, policies, and procedures which pertain to the administration of particular legal programs in substantive areas of law (e.g., communications, antitrust), or to particular types of legal cases and actions (e.g., the civil or criminal cases investigated and prosecuted by a U.S. Attorney's Office) and highly developed, specialized legal skills and proficiency sufficient to:

- analyze and evaluate the relevance of particular technical evidence or questions which arise in the conduct of specialized legal programs;
- perform extensive and thorough legal research into the legislative history, precedent cases, decisions, and opinions that may be applicable to particular legal matters;
- investigate and become thoroughly familiar with subject matter details involved in a case or legal matter; determine the specific data needed and best approach to obtain this data or to determine the relevance or sufficiency of available legal, technical (e.g., financial, statistical), or other related data;
- coordinate actions with other Federal agencies or State and local jurisdictions that have closely related responsibilities; or
- perform similar functions requiring specialized program knowledge acquired through extended experience.

OR

Equivalent knowledge and skill.

FACTOR 2, SUPERVISORY CONTROLS

"Supervisory Controls" covers the nature and extent of direct or indirect controls exercised by the supervisor, the paralegal specialist's responsibility, and the review of completed work. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. Responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to modify or recommend modification of instructions, and to participate in establishing priorities and defining objectives. The degree of review ranges from close and detailed review of each phase of the assignment to a review of completed projects for adherence to policy. (NOTE: Guidance may be furnished by an attorney, higher level paralegal specialist or other personnel as well as the actual supervisor.)

Level 2-1 -- 25 points

The supervisor makes specific assignments that are accompanied by clear, detailed, and specific instructions. The paralegal specialist works as instructed and consults with the supervisor on all matters not specifically covered in the original instructions. The employee's assignments are spot-checked during performance and reviewed upon completion for accuracy, adequacy, and adherence to instructions and established procedures.

Level 2-2 -- 125 points

The supervisor provides continuing and individual assignments by indicating what is to be done, quality and quantity expected, priorities, and deadlines.

The paralegal specialist uses initiative in carrying out recurring tasks, such as reviewing cases to determine the need for additional data from field staff and in providing routine advice to appellants. Additional specific instructions and assistance are provided for new or difficult procedures. Problems and deviations not covered by instructions are reported to the supervisor.

The supervisor reviews results of the specialist's work for technical accuracy and compliance with instructions, and provides assistance for new or more difficult assignments in process and upon completion.

Level 2-3 -- 275 points

The supervisor makes assignments by defining objectives, priorities, and deadlines, and assists the employee with unusual situations which do not have clear precedents.

The paralegal specialist independently conducts legal research, selects evidence from subpoenaed documents, and prepares drafts of briefs, other litigation papers, or advisory opinions. The employee carries out assignments and resolves problems and deviations in line with previous training and agency policies, precedents, directives, and practices.

The supervisor reviews work for technical soundness and conformity to requirements by auditing completed case records, briefs, dispositions, or other documents, and through discussion of cases. The review focuses on the soundness of the end product rather than the adequacy or type of method employed to produce the product.

Level 2-4 -- 450 points

The supervisor interprets objectives, sets necessary resources, and defines the scope of the employee's duty assignment. The employee and the supervisor together develop deadlines and priorities for work to be done.

Within this framework the employee independently plans and carries out assignments and coordinates activities with professional legal staff of the agency and with staff of other Federal or non-Federal activities. Employees at this level must use considerable ingenuity to anticipate program or case requirements, develop legal arguments and supporting evidence, resolve conflicting statements, or search for corroborating or contravening precedents. In some assignments, the employee also determines the approach to be taken and methodology to be used. The supervisor is kept informed of actions involving potentially controversial issues or issues with far-reaching implications.

Completed work is reviewed only in terms of productivity and effectiveness in meeting requirements or accomplishing objectives.

FACTOR 3, GUIDELINES

This factor covers the nature of guidelines and the judgment needed to apply them. Individual jobs vary in the specificity, applicability, and availability of guidelines for the performance of assignments and the extent to which the paralegal specialist must be able to use the reference sources available. Consequently, the constraints and judgmental demands placed upon the paralegal specialist also vary.

Level 3-1 -- 25 points

The supervisor provides specific guidelines for each assignment. The employee works in strict adherence to guidelines; deviations must be authorized by the supervisor.

Level 3-2 -- 125 points

Procedures for doing the work are well established, and guidelines are available for reference, as needed. Guidelines consist of particular titles of law and related rules and regulations; agency manuals providing policy and procedures; and standard legal references such as law dictionaries, rules of practice of courts, digests, encyclopedias, and commentaries.

The paralegal specialist uses judgment in locating and selecting guidelines for application to individual assignments (e.g., determining which law or regulation applies, whether a violation occurred, whether action should be taken). When located, guidelines are usually specific to the situation at hand. However, in some instances the paralegal specialist applies judgment in making minor deviations (e.g., deciding to include supplemental clarifying information not specifically requested in a Freedom of Information request). Situations to which existing guidelines cannot be applied, which require significant deviations, or situations for which the guidelines are conflicting or ambiguous are referred to the supervisor.

Level 3-3 -- 275 points

Guidelines are generally available but do not appear to be completely applicable. For example, many factual situations or issues may be encountered that do not appear to be the same as earlier situations to which the guidelines could be specifically applied, or the connection between the factual situation and the cause of action or legal question is not clear.

The employee must search for appropriate guidelines from numerous sources (such as Federal laws, regulations, precedents, as well as State, municipal, county and local laws and ordinances of concern to the program), and use judgment regarding the depth and thoroughness of the search. Typically there are many related precedents that must be carefully analyzed to determine which most nearly fit the situation, and the employee must use considerable judgment in interpreting and adapting guidelines to specific issues.

Level 3-4 -- 450 points

In addition to guidelines described at lower levels, guidelines applied in many assignments at this level may be limited to basic legislation, implementing regulations, and agency policies which must be carefully analyzed for general application. The more specific guidelines mentioned at lower levels may be of limited use as the legislative histories or precedent decisions may be ambiguous or apparently in conflict.

The specialist must use initiative and resourcefulness in interpreting and applying guidelines and precedents in nonroutine situations without referring questions to others. In a number of

situations the specialist relies on past personal experience to evaluate the applicability of guidelines on issues where conflicting decisions have not been resolved or where factual situations vary so widely that it is highly questionable as to which precedents can be adapted to specific matters.

FACTOR 4, COMPLEXITY

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

The work of paralegal specialists ranges from selected trainee assignments of one task involving several controlled analytical and evaluative steps, to work performed by employees with years of experience and special program expertise in resolving complex assignments over a period of months or years requiring highly developed skills and knowledge to find precedents, develop findings, and resolve expertly contested issues.

Complexity in paralegal assignments is caused by such variables as:

- the number of steps required, the factual and legal issues involved, and the intensity of the analysis of case files that is required;
- time restrictions;
- the adequacy of the preliminary investigation and factfinding;
- the volume of data and evidence to be catalogued, analyzed, stored, and retrieved;
- the degree to which previous policy, legal decisions, or court interpretations are applicable to the recommendations made; and
- the need to deal with entirely new programs or significant changes in policy.

Complications arise also from the need to consider various substantive program issues relating to the cases, such as physical disability factors, industrial practices, labor market considerations, ecological factors, or public communication needs.

Level 4-2 -- 75 points

Assignments consist of duties involving a few related steps or processes designed for developmental purposes to orient the specialist in the mission of the organization and the practical application of legal theory.

The paralegal specialist reads case files to become familiar with ongoing matters and litigation, looks up meanings of legal terminology, and locates citations to become familiar with the legal reference materials and finding aids. The specialist reviews documents to identify the material which may be pertinent to issues or cases; researches and extracts statistical data and narrative information relating to specified matters from records; summarizes findings orally, in writing, and through the construction of charts and other graphics; or completes other similar tasks.

Actions taken differ according to the nature or source of the information involved and choices are limited to such matters as the sequence of fact-finding steps and the manner or form in which to present findings. The assignments become increasingly more complex as the specialist's skill increases.

Level 4-3 -- 150 points

The work includes various duties involving different and unrelated processes and methods, such as case or issue analysis; legal research; interviewing claimants or potential witnesses; summarizing and explaining case files, depositions, or interrogatories; and preparing exhibits.

The specialist must analyze the information, identify missing information that requires additional research or investigation, identify the appropriate reference source, and develop plans necessary to complete the assignment.

The paralegal specialist must identify the legal or factual issues in the case or appeal, locate precedents, and develop a legally supportable conclusion.

Level 4-4 -- 225 points

At this level, paralegal specialists perform varied duties encompassing diverse and complex technical issues or problems (e.g., carries out case development and documentation activities as a case progresses through the administrative appellate system).

Factual situations vary significantly from assignment to assignment and are difficult to ascertain because there is a large body of interrelated facts to be analyzed, information from different sources is sometimes in conflict, only indirect evidence is available on some issues, and the interpretation of such evidence is disputed. The employee must devise or evaluate and adapt previous factfinding and problem-solving methods to cope with voluminous documentation, effectively organize data into exhibits, and develop corroborative evidence to fill gaps or resolve conflicting statements.

The employee must reconcile conflicting policies and facts, identify and elicit additional information, and make a number of decisions at various stages such as identifying issues; defining the problem in terms compatible with the laws, policies, or regulations; interpreting considerable data; and weighing facts in order to formulate a legally and factually supportable position. The work is further complicated by multiple assignments or the need to combine case development with other functions, such as digesting current legal proceedings on a daily basis. The employee must set priorities and plan work carefully to meet deadlines for each stage of the assignment.

Level 4-5 -- 325 points

At this level the paralegal specialist serves as a technical authority performing work which is characterized by a depth and variety of problem-solving analysis, interpretation, and evaluation

associated with the resolution of unusually complicated legal matters. For example, the paralegal specialist researches esoteric statutory, regulatory, court and/or administrative precedents, and other legal opinion or documentary material, interprets and evaluates equivocal or discrepant information collected from varied sources; develops and makes usable ambiguous or confused technical data and other supportive material; analyzes and synthesizes intricate evidence using a variety of quantitative and qualitative techniques; and prepares comprehensive reports which serve as the basis for critical legislative regulatory, judicial, administrative, or other legal arguments, interpretations, or opinions.

Decisions regarding what needs to be done require expertise in exploring and sorting out subtle or tenuous legal, technical, and/or program-related elements of cases or legal matters crucial to a line of argument upon which the case will be decided. For example, assignments are characterized by disputed factual technicalities; events that must be reconstructed from circumstantial evidence; nuances upon which legal outcomes are determined; or problems that have been particularly resistant to solutions in the past. Cases are likely to extend over a period of years, involve major areas of uncertainty in methodology or interpretation, or involve new legal and technical developments or questions on which decisions rendered in different jurisdictions are at variance.

The work requires the specialist to be especially versatile and innovative in responding to unanticipated changes in judicial and/or administrative law, policy, or program direction; in interpreting incomplete and conflicting information from varied sources; in developing evidence or surfacing previously overlooked technical data which alters the direction of legal arguments; and in devising new ways of presenting information to effectively resolve contentious issues.

FACTOR 5, SCOPE AND EFFECT

Scope and effect covers the relationship between the nature of the work i.e., the purpose, breadth, and depth of the assignments, and the effect or work products or services both within and outside the organization.

Effect measures such things as whether the work output facilitates the work of others, provides timely services of a personal nature, or impacts on the adequacy of research conclusions. The concept of effect alone does not provide sufficient information to understand and evaluate the impact of the position. The scope of the work completes the picture, allowing consistent evaluations. Only the effect of properly performed work is to be considered.

Level 5-1 -- 25 points

The purpose of the work is to provide the paralegal specialist with training in the practical application of basic concepts, methods, procedures, and guidelines of paralegal work. It involves the performance of specific, routine operations that include a few separate tasks or procedures, such as looking for specific items of factual information in subpoenaed documents and tabulating and summarizing data, or reviewing recent case decisions and summarizing the factual and legal issues and findings.

The work product facilitates the work of higher graded co-workers within the immediate employing office by relieving them of repetitive assignments.

Level 5-2 -- 75 points

The purpose of the work is to carry out specific procedures comprising a complete segment of a project of broader scope, such as initially reviewing formal complaints, identifying issues involved, and obtaining the information and documentation needed to prepare the case for analysis and development by other paralegal specialists or professional staff; or analyzing documents for supportive evidence, organizing findings, and writing synopses for use by an attorney.

The work product is used by higher graded staff members and can affect the accuracy of the overall analysis and development of the case.

Level 5-3 -- 150 points

The purpose of the work is to resolve problems or questions through application of established criteria and methods, such as reviewing matters to determine agency position in similar cases, deciding on and carrying out the necessary procedural steps, and recommending and justifying the need to pursue any further actions such as litigation.

The work product directly affects the unit's ability to meet production goals and to provide service to the public. Actions and recommendations affect the outcome of cases and the well-being of the individuals involved.

Level 5-4 -- 225 points

The purpose of the work is to (1) advise other paralegal specialists or professional staff on highly specialized problems of case development, interpretation of findings, or waiver of chain-of-title and documentation requirements; (2) monitor the consistency of case decisions throughout the agency and recommend the reopening of cases or the issuance of official agency interpretations, as necessary; or (3) researching unsettled issues and develop proposed agency positions. The work provides the foundation for precedents that have a broad impact (e.g., affect aspects of agency-wide programs or activities of a regulated industry).

FACTOR 6, PERSONAL CONTACTS

This factor includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. (NOTE: Personal contacts with supervisors are covered under Factor 2, Supervisory Controls.) Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contact takes place (e.g., the degree to which the employee and those contacted recognize their relative roles and authorities).

Above the lowest level, points should be credited under this factor only for contacts which are essential for successful performance of the work and which have a demonstrable impact on the difficulty and responsibility of the work performed.

The relationship of Factors 6 and 7 presumes that the same contacts will be evaluated for both factors. Therefore, use the personal contacts which serve as the basis for the level selected for Factor 7 as the basis for selecting a level for Factor 6.

Level 6-1 -- 10 points

The personal contacts are primarily with employees within the immediate work unit and in related or serviced units.

Level 6-2 -- 25 points

The personal contacts are with employees in other parts of the agency such as agency program specialists and with people outside the agency in a moderately structured setting, as, for example, with legal counsel for appellants.

Level 6-3 -- 60 points

Personal contacts are generally with claimants, appellants, their attorneys, potential witnesses, and industry representatives in moderately unstructured situations where each contact is different and the specialist must define the purpose of the meeting and clarify the roles of the various participants. Contacts may be initiated by the specialist, the person requesting information or assistance, or another party and frequently involve unstructured face-to-face meetings.

FACTOR 7, PURPOSE OF CONTACTS

The purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives. The personal contacts which serve as the basis for the level selected for this factor must be the same as the contacts which are the basis for the level for Factor 6.

Level 7-1 -- 20 points

The purpose is to obtain, clarify, or give facts or information relating to such matters as work assignments, types of cases that have been filed, and appearance dates. For example, employee ascertains missing or additional documentation needed from such sources as the general counsel's office, regional and district offices, or other agency components, and requests this material.

Level 7-2 -- 50 points

The purpose of contacts is to meet with potential witnesses to prepare them for, and provide information about, court appearances or to explain current agency practices in regard to litigating cases or reopening appeals; to plan and coordinate assignments requiring the cooperation of employees in several agency offices, such as assembling data from different sources to prepare exhibits or to respond to interrogatories, subpoenas, depositions, or other activities; or to persuade other agency personnel with different viewpoints on the merits of releasing or withholding portions of documents requested under provisions of various acts.

Level 7-3 -- 120 points

The purpose of contacts is to motivate persons who may be fearful or uncooperative to testify at hearings or in court appearances or to provide critical information, such as that needed to develop aspects of a case or to locate missing witnesses or defendants; to gain voluntary compliance or agreement with persons or groups who have divergent allegiances, interests, or objectives; to convince persons of the correctness of factual, technical, procedural, or other interpretations despite the existence of other differing interpretations and legal positions; or to otherwise influence skeptical or uncooperative persons by the use of tact, persuasiveness, and diplomacy in controversial legal situations.

FACTOR 8, PHYSICAL DEMANDS

The "Physical Demands" factor covers the requirements and physical demands placed on the employee by the work assignment. This includes physical characteristics and abilities (e.g., specific agility and dexterity requirements) and the physical exertion involved in the work (e.g., climbing, lifting, pushing, balancing, stooping, kneeling, crouching, crawling, or reaching). To some extent the frequency or intensity of physical exertion must also be considered, e.g., a job requiring prolonged standing involves more physical exertion than a job requiring intermittent standing.

Level 8-1 -- 5 points

The work is sedentary. Typically, the employee may sit comfortably to do the work. However, there may be some physical activity such as walking, standing, bending, carrying of light items such as papers and books, and driving an automobile. No special physical demands are required to perform work.

Level 8-2 -- 20 points

There is a recurring requirement for lifting moderately heavy items such as typewriters or boxes of records.

FACTOR 9, WORK ENVIRONMENT

The "Work Environment" factor considers the risks and discomforts in the employee's physical surroundings or the nature of the work assigned and the safety regulations required. Although the use of safety precautions can practically eliminate a certain danger or discomfort, such situations typically place additional demands upon the employee in carrying out safety regulations and techniques.

Level 9-1 -- 5 points

The work environment involves everyday risks or discomforts which require normal safety precautions typical of offices and meeting rooms, e.g., use of safe work practices with office equipment, avoidance of tripping and falling, and observance of fire regulations. The work area is adequately lighted, heated, and ventilated.

Level 9-2 -- 20 points

There is a regular and recurring requirement during investigation and factfinding phases to visit industrial worksites where employees are engaged in manufacturing or other processes. There is exposure to high noise levels, heat, and fumes, and a need to use safety helmets, goggles, coveralls, or similar protective gear.

OPM BENCHMARK DESCRIPTIONS**PARALEGAL SPECIALIST, GS-0950-5, BMK # 01***Duties*

As a trainee, is assigned a variety of duties intended to provide the employee with a good working knowledge of agency programs, policy, regulations, and implementing legislation. In this capacity, the employee:

- Consults prescribed sources of information for facts relating to matters of interest to the program;
- Reviews documents to extract selected data and information relating to specified items;
- Reviews and summarizes information in prescribed format on case precedents and decisions;

- Searches for and extracts legal references in libraries and computer data banks; and,
- Attends hearings or court appearances to become informed on administrative or court procedures and the status of cases, and where necessary, assists in the presentation of charts and other visual information.

Factor 1, Knowledge Required by the Position -- Level 1-5 -- 750 points

As a trainee paralegal specialist, applies: a general knowledge of the major statutory provisions pertaining to the work of the organization, and the principal agency implementing regulations, policies, and practices; a knowledge of standard legal reporting services and citation systems sufficient to perform assignments selected to develop the employee and to assist higher graded employees by gathering and summarizing information on specific issues; and skill in the use of factfinding techniques, and in the analysis and presentation of the information obtained.

Factor 2, Supervisory Controls -- Level 2-1 -- 25 points

The specialist is given assignments with specific instructions on how to complete the assignment and guidance on the application and interpretation of laws, regulations, and procedures.

The specialist works as instructed, consulting with the supervisor on any problems that arise.

The supervisor reviews the completed work for accuracy, proper presentation, and conformance to instructions.

Factor 3, Guidelines -- Level 3-1 -- 25 points

Assignments are such that available guidelines clearly apply to the assignment.

Any deviation from the guidelines must be approved by the supervisor.

Factor 4, Complexity -- Level 4-2 -- 75 points

Assignments are typically selected to provide specific types of practical experience and exposure to particular legal situations and problems. Assignments are to gather and summarize specific information or to perform routine or repetitive tasks to assist higher level staff. The specialist reviews pertinent legal documents, determines what portion of the material is related to issues under consideration, and extracts and summarizes material for the supervisor or higher level staff members.

Decisions regarding what needs to be done include choices on the order of research necessary, the sequence of analytical steps, and the manner in which findings are presented.

Actions to be taken are routine and choices of a course of action are limited since the problem can usually be solved through clearly applicable precedent assignments. The assignments

usually differ somewhat depending on the factual situation, the particular principle that applies, or the type of case.

Factor 5, Scope and Effect -- Level 5-1 -- 25 points

The primary purpose of the work is to provide on-the-job training in the use of research and analytical tools and the mission of the organization.

The employee is given specific, well-defined tasks comprising one or more segments of the legal proceedings of the agency. In completing these assignments, the employee provides assistance to other employees in the unit by performing the more routine aspect of operations.

Factor 6, Personal Contacts -- Level 6-1 -- 10 points

Contacts are primarily with co-workers in the immediate office. Occasionally, in a highly structured training situation, there are contacts with employees in private firms or the general public.

Factor 7, Purpose of Contacts -- Level 7-1 -- 20 points

The purpose of the contacts is to obtain or provide factual information.

Factor 8, Physical Demands -- Level 8-1 -- 5 points

Duties are usually performed while sitting at a desk or table. There are frequent requirements for some physical activity such as carrying boxes of records weighing up to 5 kilograms (10 pounds), stooping to extract records from files, or carrying and setting up display easels in hearing rooms.

Factor 9, Work Environment -- Level 9-1 -- 5 points

Work is usually conducted in an office, adequately lighted and climate controlled.

TOTAL POINTS -- 940

PARALEGAL SPECIALIST, GS-0905-7, BMK #01

Duties

Serves as a paralegal specialist in an office providing legal assistance to attorneys. In this capacity:

- Reviews case materials to become familiar with questions under consideration;

- Searches for and summarizes relevant articles in trade magazines, law reviews, published studies, financial reports, and similar materials for use of attorneys in the preparation of opinions, briefs, and other legal documents;
- Prepares digests of selected decisions or opinions which incorporate legal references and analyses of precedents involved in areas of well-defined and settled points of law;
- Interviews potential witnesses and prepares summary interview reports for the attorney's review;
- Participates in pre-trial witness conferences, notes any deficiencies in case materials (e.g., missing documents, conflicting statements) and additional issues or other matters requiring investigation prior to trial, and requests further investigation by other agency personnel to correct deficiencies or personally conducts limited investigations at the pre-trial stage;
- Prepares and organizes trial exhibits, as required, such as statistical charts and photographic exhibits;
- Verifies citations and legal references on prepared legal documents;
- Prepares summaries of testimony and depositions; and
- Drafts and edits nonlegal memoranda, research reports, and correspondence relating to cases.

Factor 1, Knowledge Required by the Position -- Level 1-6 -- 950 points

A knowledge of statutes, regulations, precedents, and practices relating to the mission of the organization sufficient to identify the factual and legal issues and the relevant evidence and to prepare summaries of precedent cases, interviews, and related case material for the attorney's use.

A knowledge of legal reference sources and commonly used legal research procedures and methods sufficient to locate, analyze, and prepare reports on pertinent statutes, court decisions, legal opinions, and other legal documents.

Factor 2, Supervisory Controls -- Level 2-2 -- 125 points

The specialist receives instructions from attorneys regarding the steps involved in the assignment, the general legal concepts involved, general direction on the goal to be obtained, and possible resources.

The specialist uses initiative in carrying out routine assignments covered by established procedures, but is expected to consult with the supervisor when unusual problems are encountered.

Completed work is reviewed for adequacy of format, for soundness of judgment, and for adherence to appropriate instructions.

Factor 3, Guidelines -- Level 3-2 -- 125 points

Guidelines include the basic enabling legislation of the office, office procedural manuals, and appropriate references in the law library. Guidelines require interpretation and selection of the most appropriate references and procedures for the various factual situations involved. The supervisor is generally available for assistance when significant deviations from guidelines appear to be required.

Factor 4, Complexity -- Level 4-2 -- 75 points

Assignments include review and analysis of case material to locate relevant references and supporting documentation, interviewing of possible witnesses, preparation of exhibits, and drafting legal documents such as briefs and opinions for an attorney's use.

Decisions regarding what needs to be done are generally limited to choosing the sequence of steps for completing an assignment and selecting between several analytical and/or legal research methods.

Actions to be taken vary somewhat depending on the factual situation of each assignment, the legal issues involved, and the problem to be solved.

Factor 5, Scope and Effect -- Level 5-2 -- 75 points

The work of the employee consists of individual aspects of the case work of the office and is designed to provide the opportunity to participate in the application of various laws, regulations, etc., in diverse situations.

The completed work is used by professional staff in the development and presentation of their cases.

Factor 6, Personal Contacts -- Level 6-3 -- 60 points

Contacts are with fellow employees, attorneys for defendants, and with potential witnesses or sources of information where the employee must establish rapport and be skilled in interviewing techniques.

Factor 7, Purpose of Contacts -- Level 7-1 -- 20 points

The employee contacts fellow workers to obtain and provide information relating to case activities. Contacts with attorneys for defendants are to provide routine information such as court appearance dates or lists of witnesses. Contacts with potential witnesses are for the purpose of assisting in evaluating their worth as witnesses.

Factor 8, Physical Demands -- Level 8-1 -- 5 points

Work is generally sedentary, in an office setting, with no requirement for other than ordinary physical activity such as extracting files and carrying case folders from one office to another.

Factor 9, Work Environment -- Level 9-1 -- 5 points

Work is performed in areas that are adequately lighted and climate controlled and where normal safety precautions for an office are practiced.

TOTAL POINTS -- 1440

PARALEGAL SPECIALIST, GS-0950-9, BMK # 01

Duties

Participates in the substantive development of cases in an office conducting enforcement activities by performing the following functions:

- Analyzes and evaluates case files against case litigation worthiness standards;
- Notes and corrects case file deficiencies (e.g., missing documents, inconsistent material, leads not investigated) before sending the case on to the concerned trial attorney;
- Reviews and analyzes available precedents relevant to cases under consideration for use in presenting case summaries to trial attorneys;
- Gathers, sorts, classifies, and interprets data from private enterprise and labor organizations to discover patterns of possible discriminatory activity;
- Interviews industrial and union representatives, employees, and potential witnesses to gather information;
- Reviews and analyzes relevant workforce statistics;
- Performs statistical evaluations such as standard deviations, "t" tests, analyses of variance, means, modes, and range as supporting data for case litigation;
- Consults with statistical experts on reliability of statistical evaluations; and
- Testifies in court concerning relevant data.

Factor 1, Knowledge Required by the Position -- Level 1-6 -- 950 points

Knowledge of the principles, concepts, and methods of legal research and analysis sufficient to perform recurring case development and documentation assignments which are typically covered by established precedents. Knowledge of the litigation activities of the agency and of statistical techniques sufficient to gather and analyze data and to evaluate its usefulness in resolving legal issues.

Knowledge of interviewing techniques sufficient to interview potential witnesses, industry and union representatives, workers, and other sources of information and skill in developing evidence to support the agency's litigation activities.

Ability to communicate effectively and prepare legal briefs and summaries of analyses.

Factor 2, Supervisory Controls -- Level 2-3 -- 275 points

Work is assigned by the supervisor with deadlines, precedents, and objectives defined.

The employee independently carries out the assignments, including selection of methods, approaches, problem solving, and other related activities. The employee brings unprecedented problems and proposed solutions to the supervisor's attention.

Work is periodically reviewed for its applicability to the case under consideration, and for the soundness of the employee's decisions.

Factor 3, Guidelines -- Level 3-3 -- 275 points

Guidelines consist of applicable titles of the law, implementing regulations, agency manuals and directives, agency precedent decisions, court decisions, commercial legal publications, as well as appropriate issuances from other interested agencies.

The employee uses judgment in selecting and adapting guidelines to specific situations and cases and recommends changes in the manner of analyzing and preparing similar cases.

Factor 4, Complexity -- Level 4-3 -- 150 points

Assignments consist of a variety of analytical duties such as developing and carrying out plans to gather information through such means as interviews, review of reports, and surveys; analyzing the information collected; conducting legal research concerning precedents and past court decisions; checking citations; preparing evidence and exhibits; and developing and justifying recommendations.

Each assignment requires the paralegal specialist to select factfinding and research tools appropriate to the particular assignment in terms of types of data available, difficulty in obtaining data, time restraints, and the degree of expected cooperation from the particular firm or group being evaluated.

These duties require the paralegal specialist to search for, isolate, evaluate the relevance of, and summarize available information and its usefulness in resolving issues.

Factor 5, Scope and Effect -- Level 5-2 -- 75 points

The purpose of the work is to gather, arrange, analyze, evaluate, and control information and evidence needed for case processing.

Successful accomplishment of the work facilitates the work of trial attorneys in such matters as litigation and in achieving settlements, conciliations, or consent decrees. The accuracy of the paralegal specialist's activities contributes to the litigation worthiness of a case and the specialist's credibility as a trial witness.

Factor 6, Personal Contacts -- Level 6-3 -- 60 points

Contacts are with charging parties, respondents and their attorneys, company officials, court employees, officials of labor organizations, and others.

Factor 7, Purpose of Contacts -- Level 7-3 -- 120 points

Contacts are to obtain factual information; to advise on progress achieved in securing supportive case data; and to obtain information required for discovery including interrogatories, subpoenas, depositions, and other related tasks. The employee frequently must be persuasive or apply skillful interrogation to obtain necessary information required to support the agency's litigation, conciliation, settlement, and other program efforts. Individuals interviewed by the paralegal specialist in developing supportive case data may be hostile or try to avoid involvement.

Factor 8, Physical Demands -- Level 8-1 -- 5 points

While much of the work is sedentary, there are occasional requirements for moderate physical activity, such as lifting stacks or boxes of records and for carrying heavy or unwieldy objects such as display easels into courtrooms for exhibits.

Factor 9, Work Environment -- Level 9-2 -- 20 points

Work is generally conducted in an office atmosphere, but there are recurring on-site visits to industrial firms where the employee is exposed to such hazards as moving machinery, high noise levels, and chemical irritants requiring the use of protective clothing.

TOTAL POINTS -- 1930

PARALEGAL SPECIALIST, GS-0950-11, BMK #01*Duties*

Assists in the evaluation, development and litigation of discrimination cases, by performing the following duties:

- Examines and evaluates information in case files, with reference to agency standards for case litigation worthiness and appropriate titles of law;
- Determines the need for additional information, independent surveys, evidence, and witnesses, and plans a comprehensive approach to obtain this information;
- Through onsite visits, interviews, and review of records on operations, looks for and evaluates the relevance and worth of evidence;
- Selects, summarizes, and compiles comparative data to examine and evaluate respondent's deficiencies in order to provide evidence of illegal practices or patterns;

- Reviews economic trends and forecasts at the national and regional level to evaluate the impact of successful prosecution and potential remedial provisions of ongoing investigations and litigation;
- Identifies types of recordkeeping systems and types of records maintained which would be relevant to providing violations; gathers, sorts and interprets data from various record systems including computer information systems of business and labor organizations to substantiate questionable patterns of systemic discrimination in cases under investigation;
- Interviews respondents to obtain information on company practices. Interviews potential witnesses for information and prepares witnesses for court appearances;
- Develops statistics and tabulations, such as standard deviations, regression analyses, and weighting, to provide leads and supportive data for case litigation. Prepares charts, graphs, and tables to illustrate results;
- Analyzes data, develops recommendations and justifications for the attorney(s) who will take the matter to court. Continues to work with the attorney(s) during the progress of the case, obtaining and developing further evidence and exhibits, providing administrative assistance, and maintaining custody of exhibits, documents, and files; and
- May appear in court as a witness to testify concerning exhibits prepared supporting plaintiff's case.

Factor 1, Knowledge Required by the Position -- Level 1-7 -- 1250 points

Knowledge of the application of various titles of law applicable to agency mission, Federal and State laws governing or impacting on the program, and significant national and local developments in the field; and knowledge of legal reference sources in agency manuals, directives, and issuances, computerized reference sources, court and/or administrative decisions and precedents, and commercial legal publications sufficient to perform extensive legal research into the legislative history, precedent cases, decisions, and opinions that may be applicable; to interpret, explain, and present, orally or in writing, relevant findings and conclusions using appropriate language, legal reasoning, and organization of facts and ideas; and to assist in case preparation.

Basic knowledge of statistical and mathematical concepts and processes to develop or evaluate statistical evidence.

A working knowledge of economic principles, theories, indicators, and statistics sufficient to use these as tools in analyzing industrial practices and in evaluating compliance initiatives.

Factor 2, Supervisory Controls -- Level 2-3 -- 275 points

Work is assigned by the supervisor with deadlines, possible precedents, and objectives defined.

Actual accomplishment of the work, including methods, approaches, problem solving, and other related functions is independently completed by the employee. Unprecedented problems or occurrences are generally brought to the supervisor's attention, along with proposed solutions.

Work is generally reviewed for its applicability to the case under consideration and for the soundness of decisions or conclusions. The methods used are not normally reviewed in detail.

Factor 3, Guidelines -- Level 3-4 -- 450 points

Guidelines are numerous, typical of those found in a law library, and consist of applicable legislation, court decisions, commercial legal publications, as well as agency manuals, directives, and precedent decisions and issuances from other interested agencies.

The specialist relies on a sense of current agency interests and priorities in determining the depth of analysis needed and the amount of time to spend in locating possible precedents. Guidelines are not easily applied to the varied situations encountered, since they may only partially relate to the circumstances or may have been significantly limited in usefulness by later decisions or interpretations. The specialist's findings serve to modify and augment existing agency guidelines and provide the basis for new or modified evaluation criteria.

Factor 4, Complexity -- Level 4-4 -- 225 points

Performs a wide variety of duties involved in evaluating potential cases for investigation and prosecution.

The duties require the analysis of preliminary case files to determine appropriateness of prosecution in terms of agency litigation worthiness standards; evaluation of respondent's work force to determine presence of discriminatory practices or patterns; evaluation of the impact of successful prosecution and potential remedial provisions in terms of economic trends and forecasts; searching for and identifying recordkeeping systems which would clarify discriminatory practices; the examination, evaluation, and analysis of records; the preparation of recommendations with justifications, exhibits, statistics, etc.; interviewing respondents and witnesses; and drafting various legal documents such as interrogatories.

Considerable ingenuity is required in devising and adapting analytical approaches to the complexities of various recordkeeping systems encountered, or in coping with either the absence of data or the availability of vague data which does not directly provide the necessary information to determine suitability of evidence for establishing systemic discriminatory practices or to make recommendations on case litigation worthiness.

Factor 5, Scope and Effect -- Level 5-3 -- 150 points

Because of workload considerations, the volume of records involved, and the scheduling of hearings and court appearances outside the control of the agency, the employee often has the major responsibility for developing sufficient evidence, evaluating its relevance and worth, and briefing attorneys prior to hearings on appropriate findings and suggested approaches. The specialist's individual record of success in similar proceedings permits this kind of reliance.

The work affects the economic security of parties to the suit and, in some cases, contributes to changes in employment practices.

Factor 6, Personal Contacts -- Level 6-3 -- 60 points

Contacts are with charging parties, respondents and their attorneys, witnesses, company officials, and industry representatives. Contacts are maintained on a continuing basis with officers of courts, officials of labor organizations, and community groups.

Factor 7, Purpose of Contacts -- Level 7-3 -- 120 points

Contacts are to secure supportive case data and to obtain information needed to litigate cases through direct or indirect means. Individuals dealt with may be uncooperative or even hostile to the Government's position, or unwilling to talk due to fear of reprisal or reluctance to be involved with the legal action.

Factor 8, Physical Demands -- Level 8-1 -- 5 points

Work is generally sedentary with no requirement for other than ordinary physical activity, such as bending and stooping to insert or extract files or carrying case folders from one office to another.

Factor 9, Work Environment -- Level 9-2 -- 20 points

Work is generally performed in an office, which is adequately lighted and climate controlled. There are regular and recurring visits to industrial worksites where the employee is subjected to noise, outside weather conditions, fumes, heat, or other conditions which may require the use of protective clothing such as helmets and goggles.

TOTAL POINTS -- 2555

PARALEGAL SPECIALIST, GS-0950-11, BMK #01*Duties*

Serves as a paralegal specialist in a regional office with responsibility for the analysis and evaluation of claims and other matters arising from various legislative acts (e.g., Federal Tort Claims Act, Civilian Employees' Claims Act, Freedom of Information Act, Privacy Act). Selects, assembles, summarizes, and compiles substantive information by use of statutes, regulations, department orders, digests, commentaries, legal instruments, and other legal reference material. Assists in case preparation for litigation and analyzes facts and legal questions.

In this capacity:

- Receives, analyzes, investigates, and recommends action on submissions under various tort claim acts. Reviews all investigative materials compiled;

- Examines and evaluates requests for information under the Freedom of Information and Privacy Acts; researches relevant legislation, regulations, and precedents; and determines if documents or segregable portions of them can be released. Substantiates rationale for position taken in event of appeal;
- Reviews changes in regulations on the Freedom of Information and Privacy Acts and updates and advises other legal personnel and field staff of changes. Consults and assists in formulation of agency regulations regarding the release of information;
- Consults with other Federal and State agencies regarding the Freedom of Information and Privacy Act regulations and related cases and requests, and coordinates related law suits with staff attorneys of other departments;
- Prepares litigation reports in connection with lawsuits filed against the agency. Summarizes the factual situation, the basis of the complaint, legal issues presented, and relevant case law. Recommends and justifies agency position in regard to the lawsuit. Collects additional facts from staff. Prepares various affidavits (e.g., on action taken by staff, failure of plaintiff to exhaust administrative remedies). Obtains answers to interrogatories and matters relative to discovery;
- Provides information to the legal staff on civil and constitutional rights of inmates and administration of correctional facilities.
- Analyzes inmate grievances and complaints relative to facts, issues, and applicable policy; obtains additional facts and information; researches legislation, policy, and case law; develops appropriate conclusions and justifications; and prepares response; and
- Reviews, analyzes, and recommends appropriate regional response on inmate appeals. Requests further information where needed. In responses to correctional institutions, suggests alternate ways of dealing with similar situations to avoid further appeals.

Factor 1, Knowledge Required by the Position -- Level 1-7 -- 1250 points

Knowledge of the various titles of law applicable to agency mission, Federal and State laws governing or impacting on the program, and significant national and local developments in the field.

Knowledge of legal reference sources in agency manuals, reference systems, directives, issuances, precedent decisions, court decisions, and commercial legal publications sufficient to perform extensive and thorough legal research into the legislative history, precedent cases, decisions and opinions that may be applicable; to evaluate the relevance of and summarize substantive information; to assist in case preparation; and to insure that information is lawfully released or withheld.

Knowledge concerning document control and security measures at the institutional level in order to insure against the release of any investigative information which would endanger pending prosecution, the orderly and safe operation of the institution, or endanger the lives or physical well-being of institutional staff.

Factor 2, Supervisory Controls -- Level 2-4 -- 450 points

Work is under the general supervision and administrative control of the regional counsel who delineates areas of responsibility, outlines possible approaches, and is generally available for assistance on problems that arise.

In matters relating to tort claims and release of information, the specialist must meet deadlines established by statute. Otherwise, the specialist is expected to plan and conduct work activities independently, resolve problems, and interpret policy on own initiative.

Completed work is prepared for administrative signature and is considered to be accurate with respect to legal citations, substantiating statistics, and facts. Work is reviewed for effectiveness in meeting program requirements and, on occasion, for feasibility of approach. The employee's advice on technical aspects of release of records is considered authoritative.

Factor 3, Guidelines -- Level 3-3 -- 275 points

Guidelines consist of agency legal reference systems including applicable legislation, Code of Federal Regulations, agency policy and directives, and appropriate issuances such as rules on Freedom of Information and Privacy Act related matters.

The specialist must use trained judgment in interpreting and adapting from the underlying principles, purpose, and intent of the guidelines in order to arrive at a satisfactory conclusion.

Factor 4, Complexity -- Level 4-4 -- 225 points

Work involves varied activities associated with the development of appropriate and defensible legal bases, supporting evidence, and other information used to determine entitlement to claims and release of agency documents, to resolve inmate grievances, and to provide support for litigation.

Determines the legal, policy, and administrative issues involved and the nature of the analysis and legal research required to come to a successful conclusion and to support recommendations.

The specialist must analyze numerous conflicting statements of fact and opinion regarding problems arising from litigation, claims activities, and resolution of inmate grievances through the adaptation and modification of conventional practices and the development of new approaches consistent with statutes administered by the agency as well as agency policy, regulations, and practices. Creativity and ingenuity are required in resolving and justifying contested issues, in gaining support for decisions, and in insuring that paralegal activities are responsive to agency needs.

Factor 5, Scope and Effect -- Level 5-3 -- 150 points

The work involves the evaluation of claims and requests for information and the development of recommendations or necessary actions to dispose of claims and requests.

The work supports and facilitates the work of agency attorneys and U.S. Attorney's Offices in litigation and Freedom of Information, Privacy Act, and tort related matters. The specialist's decisions, evaluations, and examinations of cases contribute materially to the formulation of the agency's legal position and the perfection of internal legal processes.

Factor 6, Personal Contacts -- Level 6-3 -- 60 points

Contacts are with agency officials, the general public, attorneys, Federal offenders, and former offenders. Further contacts are made on a recurring basis with U.S. Attorney personnel, State department of corrections personnel, foreign penal authorities, officers of both State and Federal courts, and Federal and State law enforcement and probation personnel.

Factor 7, Purpose of Contacts -- Level 7-2 -- 50 points

Contacts are to obtain and supply information on required discovery including interrogatories, subpoenas, depositions and other related tasks; to advise on progress achieved in securing supportive case data or to provide advice on Federal statutes and agency regulations and policy regarding disclosure of inmate or investigative records and to suggest approaches to handling institution problems which have contributed to grievances, appeals, and litigation. The specialist must persuade other regional or higher level personnel who have different opinions to adopt more effective ways of dealing with potential problem situations.

Factor 8, Physical Demands -- Level 8-1 -- 5 points

Work is generally sedentary with no requirement for other than ordinary physical activity, such as extracting files and carrying case folders from one office to another.

Factor 9, Work Environment -- Level 9-2 -- 20 points

Work is generally performed in an office which is adequately lighted and climate controlled. There are recurring visits to Federal correctional facilities where rigid safety precautions must be observed.

TOTAL POINTS -- 2485

EXPLANATORY MEMORANDUM

This memorandum is published to provide interpretive information regarding the contents of the position classification standard for the Paralegal Specialist Series, GS-950. The memorandum does not contain evaluation criteria. It furnishes background information intended to help users better understand and apply the standard and explain the standard to employees and managers.

INTRODUCTION

Draft classification and qualification standards for the Paralegal Specialist Series, GS-950, were distributed for comment and test application in June 1981. Copies were sent to all Federal agencies, various paralegal training institutions, employee organizations, professional groups, and interested individuals. Comments were received from 25 Federal departments and agencies (plus 20 additional comments forwarded directly by constituent parts of these agencies), 6 employee and professional groups, and 15 individuals.

This memorandum summarizes the major points in the comments received and explains the revisions made in the standard as a result of the comments.

Significant comments, suggestions, and changes to the draft standards are the following:

ISSUES RAISED

A. *Coverage*

By far the most prevalent comment was that the series definition was too narrow and it excluded too many positions from coverage of the series. We received 32 separate comments that the series definition was so narrow that many agency positions would be excluded. Along with this was the comment that if the series coverage was to remain narrow in focus as in the draft, then we should develop additional series and series definitions to include the positions that would be excluded.

Based on the near unanimity of opinion, we considerably broadened the series coverage criteria to include all two-grade interval legal assistant type positions that belong in the GS-900 Group for which specific series do not exist. This would include positions involved in such activities as analyzing requests for information under the Freedom of Information Act and positions involving the analysis and writing of regulations and legislation. (NOTE: Such jobs are classifiable in the appropriate subject matter series when subject matter knowledge either predominates or is equal to paralegal knowledge.)

B. *Exclusions*

Comment: One reviewer suggested that a paragraph be added to exclude GS-904 Law Clerk Series work

Response: The existing series definition for the GS-904 Law Clerk Series is adequate for that purpose.

C. Factor Level Descriptions

Comment: One commenter requested that a Knowledge level of 1-8 and a 3-5 level of Guidelines be included in the final standard as they were included in a "preliminary draft" which was circulated to a few agencies prior to the release of the official draft standard to all agencies.

Response: Closer analysis did not reveal these levels to be a typical occurrence or sufficiently representative of jobs in the various agencies. Statistics show that the majority of nonsupervisory positions in this series that -- generally -- would require these levels, i.e., GS-13 and GS-14, are concentrated in one agency. Thus, (1) the positions do not display sufficient commonality to form the basis for a general description of these factors, especially Knowledge level 1-8; (2) it is not necessary to establish Government-wide grade level criteria to cover positions in one agency; (3) when we attempted to describe these levels they appeared to be exceptionally close to the situations found in positions in the professional practice of law; and (4) positions containing these levels can be evaluated by reference to factor level definitions in the Factor Evaluation System Primary Standard and by cross-reference to other FES standards as indicated in the GS-0950 standard.

D. Benchmark Descriptions

Comment: A range of comments was received on the limited number of benchmark descriptions in the draft. Some respondents thought they were helpful but directly applicable to only a small percentage of their positions.

Response: Because of the heterogeneous and evolving nature of the paralegal occupation -- especially with the broadened scope of series coverage provided in the final standards -- it has not been possible to locate benchmarks which 1) can be considered "typical" of work in the series and 2) that also have general applicability across agency lines. An additional problem with a "catch-all" series such as the GS-0950 is that some positions that might otherwise be candidates for benchmarks would be classified in another series, if the emphasis on knowledge requirements were slightly different. Since benchmark descriptions are regarded by users of the standards as occupational models for positions in the series, we endeavor to be quite certain that the positions included as benchmarks in a standard are sufficiently typical and applicable within the occupation to live up to user expectations and that they don't send the wrong signals.

Although the benchmarks provided in the standard cover a relatively small proportion of the positions in the series, we anticipate that they will be useful as illustrations of typical patterns of factor level descriptions. We have added a GS-11 benchmark description in place of the GS-12 benchmark featured in the tentative standard whose factor level descriptions were considered atypical. And, concerning grade levels, it should be stressed that the absence of benchmark examples above the GS-11 in no way precludes the classification of paralegal jobs at higher levels when the duties and responsibilities of the position warrant such classification.

Issue: One commenter felt that the description of factor level 4-5 of Complexity was more a listing of assignment tasks than a factor description.

Response: Factor level 4-5 has been extensively revised to remedy the defect noted.

General: Other factor level descriptions have been modified -- some editorially, and other substantively -- in response to helpful suggestions of commenters.

E. Qualifications Required

Comment: Most commenters agreed that we should continue the practice of allowing a law degree to fully qualify for GS-9.

Response: We are continuing to allow the substitution of LL. B., J. D., or higher law degree from a recognized law school as fully qualifying for the GS-9 level. Lesser amounts of law school education may be substituted on a time equivalent basis for the first year of specialized experience which is qualifying at GS-7.

Comment: Several comments favored the substitution of paralegal training in certain educational facilities and institutions for specialized experience.

Response: When the interim standard was developed in 1975, few institutions other than law schools, which had graduate level curricula, offered paralegal training. Because of this, and also because many paralegals had already obtained a baccalaureate degree or had equivalent experience prior to taking paralegal courses, it was decided on an interim basis, to credit paralegal courses at the graduate level. Now there are a variety of paralegal schools and curricula available, with most courses equivalent to the undergraduate level. While some courses may be similar to those taught in law schools, it is not practicable for us to develop, update, and continually maintain, criteria which would differentiate among graduate level and undergraduate level paralegal courses. Because the accepted and prevailing practice is that only graduate level education is substituted for specialized experience, we must change the type of experience for which non-law school paralegal course work can be substituted from specialized to general.