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Department of Transformation and Shared Services

Governor Asa Hutchinson  
Secretary Amy Fecher  
Director Kay Barnhill

June 15, 2021

The Honorable David Wallace, Co-Chairperson  
The Honorable David Hillman, Co-Chairperson  
Uniform Personnel Classification and  
Compensation Plan Subcommittee  
Joint Budget Committee  
State Capitol Building, Room 315  
Little Rock, Arkansas 72201

Dear Senator Wallace and Representative Hillman:

The Office of Personnel Management (OPM) submits a request to establish a new title from the Arkansas Department of Public Safety for your review:

| <u>TITLE REQUESTED</u> | <u>GRADE</u> | <u>RANGE</u>         |
|------------------------|--------------|----------------------|
| DPS General Counsel    | GS15         | \$96,960 - \$140,592 |

The Arkansas Department of Public Safety has determined it is vital for the creation of a position to act as the head of legal operations. This position will act in the following capacities: guard department integrity and embody tone at the top within the legal department; identify and remediate exposure to the department; manage governance approach on regulatory and legal issues; create leadership development and succession plans for the legal function, including the general counsel role; develop and implement key performance metrics for the legal organization; identify skill and subject matter expertise gaps and develop plans to fill them; identify and implement technology solutions for the legal department; refine the legal operations model to increase effectiveness of legal services and challenge the status quo as a change agent.

The Office of Personnel Management has reviewed this request and **recommends** the approval of the new classification of DPS General Counsel, grade GS15.

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Your approval of this request is greatly appreciated.

Sincerely,

*Kay Barnhill*  
Kay Barnhill, Director  
Office of Personnel Management

*Amy Fisher*

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SECRETARY OF TRANSFORMATION & SHARED SERVICES

*6/4/2021*  
DATE

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CLASS TITLE: DPS General Counsel

Class Code:

### CLASS SUMMARY

The Department of Public Safety (DPS) General Counsel is responsible for supervising various levels of attorneys and an administrative legal support staff to ensure delivery of quality, professional legal services that support the goals and objectives of DPS. This position is governed by state and federal laws and department policy.

### TYPICAL FUNCTIONS

Assumes total responsibility for the quality and delivery of legal services for the department. Directs and supervises a litigation team of attorneys and professional consultants, including interviewing, hiring, providing training, assigning, and reviewing work, evaluating the performance of immediate subordinates, and serving as performance evaluation reviewing official. Builds strong relationships with leadership teams within the department, with legislative members, federal partners, and public stakeholders. Serves as a trusted advisor who proactively engages management around department issues. Represents the department in legal negotiations. Represents the department in administrative and court litigation including all administrative and court proceedings. Drafts and develops reports, legal pleadings, motions, responses, complaints, comments, briefs, stipulations, settlement agreements, and other written documents. Interprets and analyzes all state and federal laws. Drafts new or revised policy and legislation. Researches, analyzes, interprets, and evaluates policies, legal precedent, issues, and information and recommends course of action to meet department objectives. Maintains and shares technical knowledge of current federal and state legal issues, policies, statutes, legislation, and procedures. Responds to inquiries from the media, government officials, and the public about legal issues and department business. Conducts legal research; drafts and prepares legal briefings and pleadings and responds to subpoenas. Presents training on legal matters. Performs other duties as assigned.

### KNOWLEDGES, ABILITIES, AND SKILLS

Knowledge of state and federal laws. Knowledge of the state's legislative processes. Knowledge of litigation practices and procedures. Ability to research, analyze, interpret, and apply case law, state and federal statutes legal precedents and relevant legislative intent to department legal matters. Ability to provide legal guidance and technical assistance to department's legal staff and management staff. Ability to plan, organize and direct the work of the professional and administrative support staff. Ability to establish and maintain cooperative working relationships with department staff and other relevant legal and department contacts. Ability to influence and

communicate across all levels of the department. Ability to conduct complex litigation.

#### MINIMUM QUALIFICATIONS

The formal education equivalent of a law degree from an accredited law school; plus eight years of legal experience in public sector law (private sector law or private law practice may be considered), with at least three years of litigation experience, and a minimum of five years in a professional managerial capacity.

#### CERTIFICATES, LICENSES, REGISTRATIONS

Must be licensed to practice law and admitted to the Arkansas State Bar in accordance with ACA 16-22-201. Additional requirements determined by the department for recruiting purposes require review and approval by the Office of Personnel Management. OTHER JOB RELATED EDUCATION AND/OR EXPERIENCE MAY BE SUBSTITUTED FOR ALL OR PART OF THESE BASIC REQUIREMENTS, EXCEPT FOR CERTIFICATION OR LICENSURE REQUIREMENTS, UPON APPROVAL OF THE QUALIFICATIONS REVIEW COMMITTEE.