



TEXAS DEPARTMENT OF LICENSING & REGULATION
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JOB POSTING
Enforcement- Prosecutor
Attorney III
\$80,000.04- \$83,000.04 annually
\$6,666.67- \$6,916.67 monthly

Posting No: 0503-22

Opening Date: 05/06/22

Group: B25

Position: 179

Closing Date: UNTIL FILLED

Job Description

The Prosecutor is selected by and responsible to the Chief Prosecutor and performs highly complex attorney work, enforcing the statutes and rules of the agency. Work involves reviewing investigative reports and making decisions about case resolutions; preparing and supervising the preparation of legal documents; prosecuting violators in administrative proceedings before an administrative law judge; negotiating settlements; and overseeing the work of legal assistants assigned to the section. Work is performed under limited supervision of the Chief Prosecutor with considerable latitude for the use of initiative and independent judgment. The attorney will perform other duties as assigned and required to maintain agency operations.

The position is located at the North Campus 1106 Clayton Lane Austin, TX 78723.

Essential Duties

- Manages a high-volume caseload that includes cases under all of the statutes administered by TDLR.
- Reviews investigative reports, initial applications, and license renewal applications that come into the prosecution section and decides the manner in which cases will be resolved. Brings cases to final resolution as expeditiously as possible.
- Researches and interprets statutes, rules, regulations, codes, and administrative records, and analyzes their applicability and significance in specific fact situations presented in complaints.
- Advises investigators regarding evidentiary analysis and avenues of investigation to be pursued, and provides guidance to all Enforcement staff regarding statutes, rules, and enforcement policies.
- Negotiates settlements of enforcement cases.
- Represents TDLR in the formal prosecution of enforcement cases in administrative hearings before the State Office of Administrative Hearings (SOAH). Presents the testimony of witnesses and documentary evidence in accordance with the Texas Rules of Evidence and makes legally-sound oral arguments.
- Prepares notices of alleged violation, notices of hearing, letters of proposed license denial, motions, legal briefs, case closing letters, agreed orders, and other appropriate legal documents and correspondence related to enforcement cases.
- Prepares exceptions to Proposals for Decision as needed and presents oral argument on contested cases to the Commission.
- Performs duties in accordance with the Complaint Resolution Procedures Manual, the Enforcement Plan and the Criminal Conviction Guidelines.
- Consults regularly with other attorneys to ensure consistency in the application of laws, rules, and enforcement policies. Reviews work of other attorneys through a peer review process.
- Reviews drafts of laws, rules, policies and regulations affecting agency operations.
- Assists in educating the regulated industries and the public by making appearances before groups and speaking about laws, rules, agency policies, and enforcement actions affecting the subject industries.
- Attends advisory board meetings and presents information about the activities of the Enforcement Division.
- Complies with division and/or agency training requirements.

- Demonstrates a spirit of teamwork, offering positive and constructive ideas, encouragement and support to other members of the staff and team, while upholding the agency's core values.
- Keeps management appropriately informed of ongoing activity and critical matters affecting the operation and well-being of the agency.
- Adheres to all TDLR Personnel Policies and performs other duties as assigned.

Minimum Requirements

Graduation from an accredited law school with an L.L.B. or J.D. degree. Member in good standing with the State Bar of Texas. Three years of litigation experience required. Experience with regulatory enforcement or criminal prosecution preferred.

*Veterans, Reservists or Guardsmen with an MOS or additional duties that fall in the fields of 27B- Military Judge, 04 Legal, 44 Legal Services, 51- Professional Law or other related fields pertaining to the minimum experience requirements may meet the minimum qualifications for this position and are highly encouraged to apply. **Additional Military Crosswalk information can be accessed at:***

http://www.hr.sao.state.tx.us/Compensation/MilitaryCrosswalk/MOSC_Legal.pdf

Remarks

The successful candidate will have: Knowledge of administrative law proceedings and concepts such as jurisdiction, notice, and due process, knowledge of the Administrative Procedures Act, the Texas Rules of Evidence and Civil Procedure, the Public Information Act, the Open Meetings Act, and the laws administered by TDLR. Skill in the use of computer and applicable software, including Microsoft Word, Excel, PowerPoint, Internet, and e-mail; and the ability to use a computer to produce legal documents, correspondence, presentations, statistical reports, and other complex documents. Skill in the use of standard office equipment. Ability to interpret, apply, and explain, orally and in writing, statutes, rules, codes, procedures, and policies; to perform legal research; and, to plan and manage multiple tasks or courses of action simultaneously and respond effectively to rapidly changing priorities in a highly visible setting. Excellent writing skills; excellent communication skills in the contexts of telephone contacts, in-person contacts, presenting cases in court, and public speaking; and, the ability to establish and maintain effective working relationships and provide professional, friendly, and caring customer service to all customers.

Applications may be downloaded from TDLR's website <https://www.tdlr.texas.gov/employ.htm>. E-mail or fax applications to: TDLR, Human Resources Office, Austin Texas 78711, Fax (512) 475-3377. E-mail Human.Resources@tdlr.texas.gov. **Resumes will not be accepted in lieu of State Applications. Applications not completely filled out may be rejected. Only typed applications will be considered.**

This job is not covered by the Fair Labor Standards Act (FLSA).

AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

TDLR provides a total compensation package that enables us to attract, motivate, and retain highly skilled and talented employees, including a merit system, full use of salary ranges, performance awards, retention and recruitment bonuses.

TDLR participates in E-Verify and will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization.

In compliance with the Americans with Disabilities Act (ADA), TDLR will provide reasonable accommodation during the hiring and selection process for individuals with a disability. If you need assistance completing the application, contact TDLR Human Resources at 512-463-7184. If you are contacted for an interview and need accommodation to participate in the interview process, please notify the person scheduling the interview