



# Office of the State Auditor

## Assistant General Counsel

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**OSA Posting Number 2022-01**

**SALARY RANGE (Grade 13) CSA232: \$62,904.51 -- \$75,000.00 (Commensurate with experience)**

### **GENERAL STATEMENT OF DUTIES:**

The Assistant General Counsel will assist the OSA Office of the General Counsel and the Bureau of Special Investigations Director by advising agency staff on legal matters; drafting administrative, court, and legal documents; responding to public records requests and performing legal research and assignments as required; researching and drafting relevant proposed and existing regulations and legislation; and assisting in the resolution and prosecution of BSI cases.

**Based on COVID-19, at some point in the near future, employees will be expected to work 40% of their work week in office, with 60% telecommuting. Also, as a requirement of employment, all OSA employees are required to provide proof of COVID-19 vaccination, or provide a negative COVID-19 PCR test weekly in order to access offices or worksites.**

The purpose of this work is to represent the agency's position and statutory obligations in legal matters, ensuring that agency activities comply with law.

### **SUPERVISION RECEIVED:**

Works under the direction of the Deputy Auditor and General Counsel and the Director of the Bureau of Special Investigations.

### **SUPERVISION EXERCISED:**

May supervise Legal Office staff as necessary under the direction of the Deputy Auditor and General Counsel.

### **DUTIES AND RESPONSIBILITIES:**

- Serves as the OSA's data access attorney advising agency staff regarding OSA's access to data in order to conduct audits.
- Represents the agency in court related to agency functions, rules, and regulations.
- Advises the Deputy Auditor and General Counsel and relevant agency staff regarding the requirements of Massachusetts' procurement law.
- Processes and respond to public records requests in accordance with applicable laws and regulations and write related correspondence and reports.
- Advises agency staff on legal matters by interpreting laws, rules, regulations, policies and judicial or quasi-judicial decisions and opinions related to agency operations; review court decisions and newly enacted, and existing, state and federal laws and regulations to determine their applicability to agency activities.
- Reviews drafts of proposed agency policies, regulations, guidelines, contracts, agreements, and memoranda of understanding for conformity with applicable laws and regulations; conduct legal research on matters related to agency functions; prepare opinions; review draft decisions for clarity and for evidentiary and legal foundation; and train agency staff in such matters as the laws, rules, regulations, policies and procedures governing agency operations.
- Researches, tracks, and drafts pending, proposed and existing legislation and/or state or federal regulations, rules or policies affecting the agency.
- Drafts administrative, court and legal documents ensuring that such documents are complete, accurate and in compliance with law.



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- At the direction of the General Counsel, may provide information to the public by answering inquiries related to agency functions, rules and regulations.
- Reviews and responds to complaints, questions and requests for information from attorneys, court officials and other government agencies.
- Provides a resource for staff on all statutes relating to BSI, DTA, MassHealth and SNAP, as well as all pertinent regulations, policies and other material as needed. Provides staff with written opinions and legal advice.
- Drafts proposed legislation and regulations on behalf of BSI. Drafts and implements internal policies, procedures and controls.
- Maintains Inter-Service Agreements and Memoranda of Understanding with other agencies such as DOR, DTA and MassHealth, and ensures BSI's compliance with them.
- Reviews and edits all prosecution memoranda before they are sent to court or DA's office and ensures examiners provide enough evidence to prove their cases.
- Drafts and reviews annual reports for content, accuracy and completeness before publishing.
- Creates and reviews trainings for staff.
- Corresponds with all outside agencies, attorneys and individuals regarding BSI legal matters.
- Maintains a presence on the OSA policy team and provides BSI's perspective on policy matters.
- Performs related duties such as writing correspondence and reports; and maintaining and updating periodic state and/or statistical reports.

### **MINIMUM QUALIFICATIONS:**

*The successful candidate will possess and/or demonstrate:*

- Graduation from an ABA accredited law school.
- Membership in good standing in the Massachusetts Bar.
- Familiarity with legal/legislative process of state government.
- Knowledge of Massachusetts judicial system, Massachusetts General Laws and the operation of state government.
- Strong interpersonal skills and the ability to work professionally and cooperatively with judges, court officials, attorneys and the public.
- Ability to handle highly confidential material with discretion.
- Ability to communicate effectively, both orally and in writing.

### **PREFERRED QUALIFICATIONS:**

*Demonstrated experience and expertise in the following areas will also be important considerations:*

- Experience in the practice of acquiring access to data and drafting memoranda of understanding regarding data access.
- Experience in the principles and practices of records management, especially the updated Massachusetts Public Records Law.
- Experience in the area of legislative and regulatory research, tracking, drafting, and promulgation.



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- Significant experience in the areas of legal research and writing.
- Knowledge of or experience with employment law, procurement, auditing, and/or accounting.
- Experience in and knowledge of criminal law and practice.
- Experience in and knowledge of state government and administrative law.

***No Phone Calls Please:***

To apply, please submit an electronic copy of a cover letter and resume, no later than **January 17, 2022** via the MassCareers website: [Click Here](#)

The Office of the State Auditor is committed to providing equal employment opportunities. Employment actions such as recruiting, hiring, training, and promoting individuals are based upon a policy of non-discrimination. Employment decisions and actions are made without regard to race, color, gender, religion, age, national origin, ancestry, sexual orientation, gender identity and expression, disability, military status, genetic information, political affiliation, or veteran's status.