

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

625 Indiana Ave, N.W., Suite 900, Washington, D.C. 20004

POSITION VACANCY ANNOUNCEMENT

Announcement No.: 23-04

Issuing Date: 03/20/23

Closing Date: Until Filled

Position: Associate General Counsel

Pay: Court Schedule (CS) 12, 13, 14 (equivalent to GS-12, 13, 14) salary range, including 2023 DC-Baltimore Locality Pay, is: \$94,199 – \$122,459 (CS-12); \$112,015 – \$145,617 (CS-13); \$132,368 – \$172,075 (CS-14).

Conditions of Employment: For new Court employees, appointment will be subject to the applicant's successful completion of fingerprinting and a background security investigation with favorable adjudication.

The Associate GC may be able to work remotely consistent with the Court's Telework Policy, which is subject to change.

Area of Consideration: Nationwide

The Court's Mission: The Court of Appeals for Veterans Claims (CAVC) is an Article I court whose Judges are presidentially nominated and Senate confirmed. The Court provides veterans an impartial judicial forum for review of administrative decisions by the Board of Veterans' Appeals that are adverse to a veteran's claim for service-connected disability and other benefits. For more information about the Court's mission, visit our website at <http://www.uscourts.cavc.gov>.

Your Duties and Responsibilities: You will collaborate with, and work under the supervision of, the General Counsel (GC) and Deputy General Counsel (DGC) to the Court. The Office of General Counsel (OGC) advises the Chief Judge, eight additional Active Judges, nine Senior Judges, three Retired Judges, the Clerk of the Court, six Court managers, and over one-hundred staff on a broad spectrum of legal areas. The advice involves all aspects of Court operations, policy, and practice, as detailed below. The OGC, however, *does not* handle the veterans disability claims that are appealed to the Court.

Among other functions, the Associate GC researches and drafts legal memoranda, provides legal and operational advice to the GC, DGC, and the Court, and interacts with the Judges, the Clerk, managers, and employees in all Court divisions. The Associate GC also engages with key outside entities such as the U.S. Judicial Conference, the Administrative Office of the U.S. Courts, other courts – both federal and state, and The Veterans Consortium. The Associate GC interacts with the GC and DGC on a daily basis in the Associate's role of providing legal, ethical, and operational advice to the GC, DGC, and all of the individuals and entities that seek advice from the OGC. The efficient, thorough, and timely completion of work by the Associate GC directly impacts the Judges, their staff, the Clerk and his staff, other federal courts, outside agencies, the Court's bar, the Court's litigants, the public, and other Court stakeholders.

Typical duties include the following:

1. Ethics: advising the Judges and all Court staff on ethics requirements grounded in the Codes of Conduct for Judges and Judicial Employees, as well as statutes and regulations. Examples include recusal, potential conflicts of interest, restrictions on political activity, reimbursements of travel expenses for educational seminars, restrictions on gifts, and limits on Judges' and staff's outside activities. OGC also trains new judges and staff on the Codes of Conduct.
2. Internal Personnel Matters: advising Judges and Court staff on a wide range of employment law questions, such as statutory conditions affecting hiring protocols, deficient work performance, federal immigration laws, and complying with the Family and Medical Leave Act and the Americans with Disabilities Act.
3. Court Operations: advising the Chief Judge, Active and Senior Judges, the Clerk of the Court, and Court managers on a variety of legal aspects related to Court operations. Examples include: congressional matters and inquiries, such as legislation regarding the content of annual reports to Congress; the legal effect of the Court's status as an Article I court on various Court operations, which may include matters of first impression; and issues of statutory and regulatory compliance, such as individual judicial and managerial financial disclosure reporting requirements.
4. Court Policies: drafting new and revising existing internal Court policies for review and implementation by the Board of Judges. OGC also keeps informed of legislative and policy changes in the federal government to ensure Court policy is consistent and in accord with current legal requirements, as well as other federal court policy and practices where appropriate. Examples of recently approved policies are the Fair Employment Practices Policy and the Telework Policy.
5. Budget, Appropriations, & Procurement: analyzing and advising on legal issues related to the Court's statutory and regulatory obligations pertaining to appropriations and procurement. Recent matters include annual Court audits; contracts with outside vendors, including for the Court's new EAP program and the recently published History of the Court; and questions regarding the Court's contractual relationship with the U.S. General Services Administration and the commercial owner of the Court's premises.
6. Court Rules and Court Orders: drafting and approving Court orders; providing guidance to the Court and Court practitioners on interpreting and/or revising the Court's Rules of Practice and Procedure, E-Filing Rules, Rules of Admission and Practice, and the Court's Internal Operating Procedures; and advising Court staff on questions regarding case processing.
7. Attorney Discipline Matters: advising the Court on resolving disciplinary matters concerning attorneys in the Court's bar, including appeals to the Federal Circuit; advising Judges and Court managers on initiation of attorney grievance and disciplinary matters; and participating in tracking attorney infractions related to missed deadlines and non-conforming filings.

8. Complaints of Judicial Misconduct: advising the Chief Judge or their designee regarding complaints of judicial misconduct against CAVC judges; and coordinating the internal appellate Judicial Council when dismissed complaints have been appealed per the Rules Governing Complaints of Judicial Misconduct and Disability.
9. Defensive Litigation: assisting the GC and DGC, and DOJ when applicable, in representing the Court in defensive litigation and in preparing for potential litigation.
10. The Veterans Consortium: engage with the Consortium.

Required Competencies (Job Knowledge, Skills, and Abilities)

The duties of the Associate GC require:

1. the ability to simultaneously handle multiple projects, responding efficiently to changing priorities, and meeting deadlines;
2. the ability to work independently under limited guidance and direction;
3. exceptional skill in conducting legal research related to varied, complex, and difficult legal and ethical issues;
4. extraordinary skill in critical thinking, and analyzing and summarizing legal and ethical concepts and issues, both in writing and verbally;
5. outstanding skill in organizing and synthesizing information so that judges and other OGC and Court stakeholders can appreciate its significance in relation to the applicable and controlling legal concepts and ethical standards;
6. outstanding skill in independently drafting memoranda and proposed legal opinions and decisions based on thorough research, sound reasoning, logical decision-making, and a sensitivity to the practical implications of the OGC's recommendations for the questioner and the Court;
7. excellent communication skills, both oral and written, including the ability to effectively convey legal concepts to lawyers and non-lawyers;
8. a record of consistently demonstrating sound ethics and judgment;
9. knowledge of, and compliance with, the Codes of Conduct for Judges and Judicial Employees;
10. knowledge of Court procedural rules, policies, and practices, and an awareness of the practical effects of applying those sources of guidance;
11. knowledge of federal laws, rules, and regulations covering a wide and diverse range of legal areas applicable to Court operations;

12. general knowledge of veterans law;
13. the ability to maintain confidentiality, handle sensitive matters, and conduct interpersonal relations tactfully and with positive outcomes; and
14. proficiency with online non-legal research, CM/ECF, and Microsoft Office applications.

Required Qualifications: You must have a J.D. from an accredited law school and be a member in good standing of the bar of the highest court of any state, D.C., or a territory, possession, or commonwealth of the U.S. To qualify for grade 12, you must have two years of post-J.D legal work experience. To qualify for grade 13, you must have three years of post-J.D. legal work experience. To qualify for grade 14, you must have four years of post-J.D. legal work experience.

Preferred Qualifications: At least three years of experience as a lawyer. Previous work at CAVC or another court, legal work other than court employment, and exceptional research and writing skills.

Instructions for Applying: Your application must include:

- (1) a resume;
- (2) a cover letter;
- (3) law school transcript (unofficial transcripts are accepted for initial application);
- (4) two self-edited legal writing samples; and
- (5) if you are not already a Court employee, an OF 306 (Declaration for Federal Employment).
The OF 306 is available at <http://www.uscourts.cavc.gov/employment.php>.

Graduate and undergraduate transcripts must also be provided if requested.

Send your application to Cary Sklar, General Counsel, at csklar@uscourts.cavc.gov.

NOTE: If you are applying for veterans' preference, submit proof of your eligibility with your signed application. This is an excepted service appointment made without regard to Title 5 governing appointments in the competitive service.

The United States Court of Appeals for Veterans Claims is an equal opportunity employer. All applicants will receive consideration without regard to race, color, religion, sex, national origin, age, disability, political affiliation, sexual orientation and gender identity, marital status, or other non-merit factors.