

ADMINISTRATIVE LAW JUDGE 1**Nature of Work**

Under general supervision, at the full-performance level, performs professional legal work conducting quasi-judicial administrative hearings and writing formal decisions and recommendations on less complex cases arising under regulatory responsibility of the agency. Responsible for insuring that the litigants are afforded substantive and procedural due process through the proper scheduling of hearings, conducting hearings based on rules of evidence, controlling the making of a record, conducting necessary legal research, and rendering decisions based on findings of fact and conclusions of law. Work is reviewed for accuracy and compliance with legal standards and applicable laws and regulations. Performs related work as required.

Distinguishing Characteristics

Positions in this class function as independent hearing examiners at the full-performance level.

Examples of Work

Reviews case file including applications, petitions, exhibits, motions, and other pleadings prior to the hearing; conducts legal research on relevant issues.

Enters procedural orders setting matters for hearing, requiring public notice of hearing, scheduling pre-hearing conference allowing for discovery, requiring joinder of parties, requiring filing of prepared testimony, briefs, recommended findings of facts and conclusions of law, stipulations, interrogations and depositions, issuing subpoenas, administering oaths, and ruling upon pre-hearing motions and objections.

Presides at pre-hearing conferences to simplify issues, amend pleadings, distribute prepared testimony and exhibits, and to determine the procedure to be followed at the hearing.

Conducts administrative hearings; determines evidentiary questions such as admissibility, competency, relevancy, and materiality administers oaths, examines witness, governs the conduct of counsel, and controls the making of record.

Drafts formal decision based on findings of fact and conclusions of law; conducts necessary legal research; cites findings of fact and applicable law.

Confers with other units of the division to obtain expertise on technical matters. Responds to inquiries from the public, attorneys, courts, and the press, relating to hearings and legal issues.

Knowledge, Skills and Abilities

Knowledge of the principles of West Virginia law regarding rules of evidence, pleadings and due process.

Knowledge of legal research techniques.

Knowledge of the rules of conduct for formal legal proceedings and hearings.

ADMINISTRATIVE LAW JUDGE 1 (CONT'D)**Knowledge, Skills and Abilities (cont'd)**

Ability to comprehend and apply statutes and judicial and administrative decisions interpreting such laws and related rules and regulations.

Ability to comprehend and apply the constitutional and administrative law applicable to the agency and its proceedings.

Ability to preside over formal hearings involving controversial issues with fairness, authority, and a proper judicial temperament.

Ability to effectively analyze complex testimony and regulatory issues including substantial quantitative information of a technical and financial nature.

Ability to prepare written opinions and decisions based on findings of fact and conclusions of law.

Ability to communicate effectively, orally and in writing.

Ability to maintain effective working relationships with the public, court officials, and attorneys.

Minimum Qualifications

TRAINING Admission to the West Virginia State Bar.

EXPERIENCE Two years of full-time or equivalent part-time paid experience as an attorney including trial experience or as an examiner or administrative law judge with an administrative body, or a judge of a court of record.

Established: 9/19/90
Revised: 11/21/91
Effective: 12/1/91