



# NORTH DAKOTA COURT SYSTEM CLASSIFICATION DESCRIPTION

## Chief Deputy Clerk

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<b>Title of Immediate Supervisor:</b>	Clerk of Supreme Court
<b>Department:</b>	Office of the Clerk of Supreme Court
<b>Pay Grade/FLSA Status:</b>	21 / Exempt
<b>Job Titles Accountable For:</b>	Deputy Clerk of Supreme Court / Senior Deputy Supreme Court Clerk

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### General Summary or Purpose

The Chief Deputy Clerk is responsible for assisting in the administration and supervision of the Office of the Clerk, and providing extensive legal research and analysis, particularly regarding appealability, timeliness and jurisdiction of the Supreme Court and makes recommendations to the Chief Justice, Supreme Court or Clerk of the Supreme Court on those issues.

The Chief Deputy Clerk has extensive knowledge of North Dakota court rules, procedures, case law and statutes and has a thorough understanding of court administration principles and of the trends and technical issues associated with the work of the Clerk's office.

The Chief Deputy Clerk differs from the Clerk of Supreme Court in that the latter classification requires more extensive experience in a court or closely related legal setting in order to effectively manage and evaluate the functions of the Office of the Clerk and to develop and implement policies and procedures for others in the department to follow.

Positions assigned to this classification follow routines and processes established by others.

### Major Responsibilities & Essential Functions

1. Supervises and participates in all phases of work within the Office of the Clerk of the Supreme Court, including developing and monitoring workflow for the case management and records management programs and training deputy clerks. Assumes the duties of the Clerk of the Supreme Court in the Clerk's absence. Receives and accounts for docket fees and other monies received by the Office of the Clerk.
2. Conducts legal research and analysis of legal precedents, rules, statutes and regulations particularly regarding appealability, timeliness and jurisdiction of the Supreme Court. Reviews case records and transcripts from trial courts to verify and determine appealability, timeliness and jurisdiction. Drafts memoranda and confers with the Chief Justice or Supreme Court on issues of appealability, timeliness and jurisdiction and recommends appropriate action regarding the same. Notifies attorneys or self-represented litigants regarding recommended corrective actions necessary to properly perfect an appeal.
3. Oversees and verifies, as necessary, determinations by staff relating to compliance of filings with the Rules of Appellate Procedure. Identifies cases not proceeding in accordance with the rules and recommends appropriate action to the Clerk of Supreme Court.
4. Analyzes and identifies ambiguities or problems with the Rules of Appellate Procedure, makes amendment recommendations on behalf of the Clerk's Office to the Joint Procedure Committee, reviews proposed amendments and comments regarding the impact of proposed amendments on court procedures, prepares proposed rules relating to appellate procedure and makes appropriate recommendations/comments to the Clerk and the Supreme Court.
5. Drafts complex legal documents for the Supreme Court, including orders, judgments, memoranda and proposed administrative rules or rules relating to appellate procedure. Reviews records and documents and determines information for orders; reviews opinions for appealability and makes recommendations to court personnel; and drafts judgments in accordance with Supreme Court opinions.
6. Develops and implements training and education relating to appealability and jurisdiction of the Supreme Court or appellate procedure for law clerks, trial court judges, court personnel and attorneys. Provides expert advice and direction on issues of appealability, jurisdiction and appellate procedure.
7. Performs other duties of a comparable level or type.



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### Minimum Qualifications

Requires a juris doctor degree from an ABA accredited law school and a minimum of two years of experience in a court or closely related legal setting which would provide knowledge of appellate rules, procedures and practices and principles of court administration.

### Certifications or Licensing Requirements: (prior to job entry)

Valid license to practice law in North Dakota.

### Knowledge Requirements

- Thorough knowledge of court administration, court policies and office management policies and procedures.
- Extensive knowledge of court system operations, court procedures and rules, including legal rules of appellate procedures, civil procedures and criminal procedures.
- Thorough knowledge of North Dakota statutes, federal and state constitutional law, statutory law, court case precedent and disciplinary requirements.
- Knowledge of logical legal theorems and their application to legal precedent, rules of legal interpretation and statutory interpretation.

### Skill Requirements

- Skilled in applying sound legal judgment based on interpreting and understanding complex laws, cases, court findings, rules and policies in addressing appealability and other legal issues on individual cases.
- Skilled in conducting legal research and in applying and interpreting legal concepts, principles and legal theorems.
- Skilled in using legal research and software (i.e. Westlaw; Michie, Lexis, Premise, etc.).
- Skilled in formulating, writing and drafting legal memoranda, orders, judgments and notices in a clear, concise manner.
- Skilled in organizing, planning, and prioritizing work assignments, needs and projects.
- Skilled in supervising clerical staff.
- Skilled in the operation of database and specialized court/case management software, general office support applications (i.e. word processing and other desktop applications and software) and general office equipment.
- Skilled in general math and statistical skills required by the responsibilities of the position.
- Skilled in presenting and communicating controversial or complex topics in an effective and persuasive manner in public presentations and speeches before managers, courts, boards, judges or committees.

### Physical Requirements

- The essential functions of the job typically require: grasping, walking, sitting, seeing, talking, hearing, feeling, fingering and some repetitive motions or other reasonable methods that accommodate an individual in completing the essential functions of the job.
- Work is performed in a comfortable office environment.
- Employee may be subject to some limited travel in the performance of the job.
- Physical requirements can typically be characterized as **Sedentary Work**: Exerting up to 10 lbs. of force occasionally and/or negligible amount of force frequently or constantly to lift, carry, push or pull or otherwise move objects including the human body.



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### Job Classification History

- Chief Deputy Clerk was last reviewed and updated 12/10/1997 by North Dakota Unified Judicial System.
- Classification description revised and updated 3/1/2001 by BCC.
- Description updated 1/2/2002 by BCC based upon dept. comments.
- Description updated 2/2004 based on Supreme Court action.
- Changes recommended by Personnel Policy Board were approved by the Supreme Court on 12/10/2008.
- On 7/30/2014, the Supreme Court approved amendment of the Physical Requirements section of all job classifications to comply with the Americans with Disability Act.
- On 10/2/2019, the Supreme Court decreased the minimum requirements to be consistent with the staff attorney positions.
- Updated "Accountable For" section. On 8/26/2020, the Supreme Court approved the Career Ladder Elimination Pilot Project which eliminated the career ladders in pay grades 1-6. The qualifications for the career ladder II positions became the new base requirement. The position titles remained the same except for the removal of the I and II. The non-career ladder III titles changed to senior deputy Supreme Court clerk and deputy clerk of district court supervisor.