

# State Office of Risk Management

## Job Announcement

State Office of Risk Management

**POSTING NUMBER:** 21-0308

**JOB TITLE:** General Counsel II

**MONTHLY SALARY:** \$7,000.00

**POSTING DATE:** April 1, 2021

**LOCATION:** 300 W. 15th St., 6th Floor, Austin, TX 78701

**WORKING TITLE:** Director, Litigation Management

**DURATION:** Until Filled

### **GENERAL DESCRIPTION**

The State Office of Risk Management (SORM) is looking for a Director of Litigation Management. In conjunction with other agency authorities, the Director of Litigation Management plans, coordinates, and oversees the agency's litigation, including impact litigation, while maintaining and promoting relationships with clients and other legal representatives. As the Director, you will act as a liaison between SORM and the Office of the Attorney General and advocate on behalf of SORM before the Division of Workers Compensation, State Office of Administrative Hearings, Texas Workforce Commission, Department of Labor, EEOC, and courts. In this role, you must actively engage with core staff, directors, and executive management to identify client needs; provide advice and guidance; and ensure proposed courses of action are in compliance with legal requirements and align with strategic objectives. We expect you to maintain transparency throughout the course of litigation and communicate regularly with stakeholders and management. As the Director of Litigation Management, you will supervise litigation operations to create an efficient, well-structured team and ensure compliance with workers' compensation and other legal requirements. You must have a comprehensive understanding of and familiarity with numerous areas of law and be up to date on changes to legislation, regulatory requirements, and human resource issues. Before changes occur, you must ensure management is well-informed on changes that may affect operations. This position requires a high degree of professionalism; a strong work ethic with an inherent understanding of ethical duties; effective written and verbal communication skills; exceptional ability to motivate, persuade, and influence others; excellent problem-solving skills; and the ability to delegate responsibilities and prioritize duties. So, you must be confident, driven, organized, and analytical. This position requires an extensive knowledge of and experience with Texas workers' compensation laws. You may train, coordinate, and lead the workload of others.

### **ESSENTIAL JOB FUNCTIONS**

Administers the daily operations and activities of the agency's strategic advocacy, including impact litigation.

Advises professional and administrative staff and affiliated agencies on legal matters and the interpretation, application, and enforcement of the Texas Workers Compensation Act and related rules.

Works directly with internal staff and the Attorney General's Office to coordinate and formulate strategies for successful representation before the Division of Workers Compensation, State Office of Administrative Hearings, Texas Workforce Commission, Department of Labor, EEOC, and courts.

Responsible for and/or oversees case preparation and presentation in workers' compensation administrative hearings, benefit review conferences, contested case hearings, medical fee disputes, medical necessity disputes, court trials; appeals of workers' compensation decision, orders, and judgments; subrogation lien recovery; subsequent injury fund requests for reimbursement; and workers' compensation fraud investigations.

Responsible for and/or oversees case preparation and presentation in labor and employment claims and appeals.

Interviews clients and witnesses to obtain the facts of a case. May testify at hearings and trials.

Represents the agency, as needed, in matters before Division of Workers Compensation, the State Office of Administrative Hearings, Texas Workforce Commission, Department of Labor, EEOC, and courts.

Maintains detailed and up-to-date information on the status of workers' compensation disputes and litigation, analyzes dispute and litigation outcomes and trends, adjusts litigation strategies in response to outcomes and/or trends, and revises litigation-related policies and procedures as needed.

Establishes strategic management practices, evaluates existing processes, and implements process improvements.

Plans, develops, and approves schedules, priorities, and standards for hearing representatives. Monitors the performance of hearing representatives and ensures representatives are prepared for, attend, and handle workers' compensation conferences and hearings professionally and appropriately.

Plans, develops, and approves schedules, priorities, and standards for litigation staff. Monitors staff performance to ensure deadlines are met and workers' compensation information exchanges comply with the Workers' Compensation Act and rules.

Responsible for training, mentoring, and professional development of subordinate staff and workers' compensation adjusters.

Develops administrative staff by providing information, educational opportunities, and experiential growth opportunities.

Analyzes and interprets laws, rulings, and regulations. Analyzes complex facts and applies applicable legal sources; formulates objective conclusions; makes recommendations on appropriate course of action; acknowledges alternative solutions; and pursues resolution of claims.

Reviews proposed laws, rules, regulations, bills, and statutory amendments for potential effect on agency operations and/or workers' compensation claims handling. Monitors court decisions that could potentially effect workers' compensation claims handling. Provides guidance to the agency on regulatory and legal changes.

Maintains up-to-date knowledge of legal principles, practices, proceedings, and state laws, regulations, and rules necessary to perform essential job functions.

Provides updates and recommendations to the Division Chief, Executive Management, and the Board on legal issues, including workers' compensation, affecting the agency.

Represents the agency in business meetings, hearings, trials, mediations, and other events.

Drafts and reviews legal documents, bills, administrative rules, and amendments for legislative consideration.

Performs related work as assigned

Maintains relevant knowledge necessary to perform essential job functions

Attends work regularly in compliance with agreed-upon work schedule

Ensures security and confidentiality of sensitive and/or protected information

Complies with all agency policies and procedures, including those pertaining to ethics and integrity

### **MINIMUM QUALIFICATIONS**

**Education:** Graduation from an accredited law school with a Juris Doctor (J.D.) degree. Must be licensed as an attorney by the State of Texas. Must be a member in good standing with State Bar of Texas.

**Experience:** 3 years of litigation experience.

**Experience:** 3 years of supervisory experience.

**Knowledge:** Familiarity with regulatory requirements applicable to state government entities; labor and employment law; the Texas Workers' Compensation Act, rules, regulations, Appeals Panel Decisions; and other areas of law respecting agency operations.

**Skill:** Identifying problems and reviewing related information to develop and evaluate options and implement solutions; in using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions, or approaches to problems; and in reconciling differences.

**Skill** in handling multiple tasks, prioritizing, and meeting deadlines.

**Skill** in effective oral and written communication. [Writing sample required at time of application and administered at the time of interview]

**Skill** in exercising sound judgment and effective decision making.

**Ability** to prepare legal documents; to prepare policies and procedures; to conduct research; to interpret and apply laws; to summarize findings; to prepare cases for trial; to conduct hearings; to communicate effectively; and to train, coordinate, and lead the work of others.

**Ability** to direct programs and activities; establish program goals and objectives that support the strategic plan; and develop and evaluate policies and procedures.

Ability to coordinate multiple projects simultaneously; prioritize workloads and complete assigned tasks under tight deadlines; and handle stressful situations.  
Ability to maintain effective working relationships within and outside the agency and work with others in a professional office environment.  
Ability to receive and respond positively to constructive feedback.  
Ability to provide excellent customer service.  
Ability to arrange for personal transportation for business-related travel.  
Ability to work more than 40 hours as needed and in compliance with the FLSA.  
Ability to lift and relocate 30 lbs.  
Ability to travel (including overnight travel) up to 5%

**PREFERRED QUALIFICATIONS**

Experience: More than 3 years of litigation experience.  
Experience: More than 3 years of supervisory experience with a State of Texas governmental entity.  
Experience: 2+ years experience with the Texas Workers' Compensation Act; legal field insurance and claim settlement; and/or administrative law.  
Board certified in workers' compensation law, civil trial law, and/or administrative law.

**TRAVEL**

5%

**TO APPLY**

All applications for employment with the State Office of Risk Management must be submitted electronically through [www.WorkInTexas.com](http://www.WorkInTexas.com). A State of Texas application in WorkInTexas (WIT) must be completed to be considered **OR** Submit a State of Texas Application for Employment to: Attn: Linda Griffin, State Office of Risk Management, P.O. Box 13777, Austin, TX 78711-3777.

**THE SORM IS AN EQUAL OPPORTUNITY EMPLOYER**