



United States Office of Personnel Management

Office of Merit Systems Oversight and Effectiveness

Digest of Significant Classification Decisions and Opinions

June 2000

Article No. 24-03

Standard: Paralegal Specialist, GS-950 (August 1986)
Legal Clerical and Assistance, GS- 986 (January 1992)

Factor: N/A

Issue: Series coverage; procedural versus analytical work

Identification of the Classification Issue

This issue arose in OPM's adjudication of an appeal. At issue was the classification of support work in a small legal office. This office had a high volume of cases in which several Government attorneys worked in a complex and specialized area of law. The appellant directed two legal clerks in their work and assisted the office in its case management, court filings, and examination of documents. To handle its numerous cases, the office also employed outside attorneys whom the appellant instructed regarding the intricacies of office procedures and special filing and reporting requirements. The appellant believed these duties exceeded normal Paralegal Specialist, GS-950-11, assignments.

Resolution

The appellant's work focused chiefly on administrative procedures important to the specialized processing requirements of the office's cases. The appellant's own statements concerning the documents reviewed and tasks performed bore this out as did an agency memorandum responding to the appellant's claims. The work examples provided in response to the oversight division's request further confirmed that the appellant's work largely demanded expertise in the procedural, rather than the analytical, aspects of the office's cases.

The appellant advised legal clerks on problems they encountered processing cases, explained filing requirements to attorneys, and reviewed cases for proper format, completeness, procedural

accuracy, timeliness, evenness of workload distribution, and similar issues. The work demanded knowledge of proper procedures, but offered few opportunities for the subjective evaluations or convoluted factual analyses that engage higher graded paralegal specialists. The appellant's procedural expertise contrasted with the technical expertise associated with researching and advising on perplexing, subjective matters that require specialized knowledge of the law.

The Legal Clerical and Assistance Series, GS-986, standard covers legal procedural work requiring an understanding of the processes, procedures, and practices underlying legal activities; knowledge of the form, content, and use of legal instruments and documents; and familiarity with the steps involved in processing legal actions. The Paralegal Specialist, GS-950, standard specifically excludes positions like the appellant's that apply established instructions, rules, regulations, precedents, and procedures to track cases, schedule court appearances, and compose routine legal forms. OPM concluded that the position was covered by the GS-986 series.

Link to [C-0986-00-01](#)