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# Legal Instruments Examining Series

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# Legal Instruments Examining Series

GS-0963

## CONTENTS

SERIES DEFINITION .....	1
EXCLUSIONS .....	1
OCCUPATIONAL INFORMATION .....	2
TECHNICAL EXAMINATION VERSUS CLERICAL PROCESSING .....	2
LEGAL INSTRUMENT EXAMINER SPECIALIZATIONS .....	3
TITLES .....	3
EVALUATING POSITIONS .....	4
GRADE CONVERSION TABLE .....	4
FACTOR LEVEL DESCRIPTIONS .....	4
FACTOR 1, KNOWLEDGE REQUIRED BY THE POSITION .....	4
FACTOR 2, SUPERVISORY CONTROLS .....	8
FACTOR 3, GUIDELINES .....	9
FACTOR 4, COMPLEXITY .....	10
FACTOR 5, SCOPE AND EFFECT .....	11
FACTOR 6, PERSONAL CONTACTS .....	12
FACTOR 7, PURPOSE OF CONTACTS .....	12
FACTOR 8, PHYSICAL DEMANDS .....	13
FACTOR 9, WORK ENVIRONMENT .....	13

## SERIES DEFINITION

This series includes positions primarily concerned with the examination of legal instruments and supporting documents, other than claims, to determine whether a requested action complies with certain provisions of various laws. The work requires the application of particular regulatory and procedural knowledge that is based on those laws.

This standard supersedes the previous standard for the Legal Instruments Examining Series published in April 1959. This series no longer includes clerical positions.

## EXCLUSIONS

1. Classify positions that involve the examination of legal instruments in certain subject-matter areas where the paramount knowledge requirement is program-related, in various specific or general series for the appropriate subject-matter area, such as in the [Accounting and Budget Group, GS-500](#), the [Business and Industry Group, GS-1100](#), or the [Investigation Group, GS-1800](#).
2. Classify positions that involve clerical functions in support of legal instruments examining work, but that do not involve technical aspects of examination, in the [Legal Clerical and Assistance Series, GS-986](#), or other appropriate clerical series.
3. Classify positions that involve the application of a body of law and its implementing regulations in examining, adjudicating, adjusting, or reconsidering claims for benefits entitlement or other similar actions in the appropriate two-grade interval administrative series. These series include those concerned with retirement, social insurance, workers' compensation, veterans' benefits, land law, immigration, or visa and passport examination.
4. Classify positions that involve analyzing legal decisions; compiling substantive information on legal subjects; and collecting, analyzing, and evaluating evidence in connection with hearings, appeals, litigation, or advisory services in the [Paralegal Specialist Series, GS-950](#), when the work requires specialized knowledge of law, but not bar membership.
5. Classify positions that involve preparing, controlling, verifying, or abstracting procurement or contracting documents; assembling contracts; or performing other duties involved with assisting in the administration of contracts in the [Procurement Clerical and Assistance Series, GS-1106](#).

## OCCUPATIONAL INFORMATION

This series covers one-grade interval technical positions that involve examining legal instruments and supporting documents to determine compliance with certain provisions of various laws. It does not include clerical positions that involve preliminary processing and other functions that support the work of the examiner.

The term "legal instrument," as used in this standard, relates to the primary document required for action to be taken pursuant to regulations or other provisions established under law. Legal instruments typically are submitted by applicants seeking permission, registration, licensure, or other action by or from the Government. A legal instrument may be accompanied by one or more supporting documents that substantiate or give evidence of required items of information. Both the legal instrument and the supporting documents require examination to determine their adequacy in meeting certain technical requirements of governing provisions.

Some characteristics common to the work include:

- Reviewing legal instruments and supporting documents for completeness of information, proper execution, certification, technical details, and other requirements.
  - Obtaining additional data or information to reconcile discrepancies.
  - Determining whether the action sought by the party submitting the instrument corresponds with governing regulations, procedures, and other criteria. This may involve searching highly specialized records to ascertain if any conditions exist that might preclude approval.
- Page 3, 1/92, TS-112
- Arriving at a decision on the requested action, or, if such a decision is not within the scope of the employee's authority, recommending a decision.

Some positions may involve responsibility for notifying the submitting party when the instrument does not meet technical requirements, explaining why the action cannot be granted, and advising the party on how such requirements may be met, or providing information on alternative options. Many positions also involve providing information and assistance in response to inquiries concerning the instruments examined.

## TECHNICAL EXAMINATION VERSUS CLERICAL PROCESSING

In contrast to the foregoing, clerical processing positions involve such work as receiving, reviewing, and verifying documents; maintaining office records; locating and compiling data or information from files; compiling information for reports; keeping a calendar and informing others of deadlines and other important dates; and similar nontechnical support work. Clerical processing positions differ from examiner positions in that the end product of the clerical (initial) phase of the examining process is an assembled case. The case is then submitted to an examiner

for technical evaluation and final disposition. The end product of the examiner position, then, is an overall decision or recommendation.

## LEGAL INSTRUMENT EXAMINER SPECIALIZATIONS

Some major specialties of legal instruments examining positions found in this series include the following:

- *Applications examiners* are primarily concerned with submissions by individuals, partnerships, corporations, or others requesting licenses, permits, rights, or privileges.
- *Bonds examiners* are primarily concerned with instruments involved in securing the performance of obligations or duties.
- *Contracts examiners* are primarily concerned with agreements between the Federal Government and an individual, corporation, State agency, and others to furnish supplies or services.
- *Conveyances examiners* are primarily concerned with instruments submitted by individuals, partnerships, corporations, and others that effect and/or evidence title to or interest in property.
- *Fiduciary Accounts examiners* are primarily concerned with financial statements that are required by law to be presented to the courts or to the responsible administrative agency by fiduciaries acting on behalf of incompetent veterans, minors, or incompetent beneficiaries of deceased veterans.
- *Securities examiners* are primarily concerned with instruments relating to the legal ownership of or entitlement to securities. Action in this category may be initiated by an application, report, security, check, or other document.
- *Statements examiners* are primarily concerned with instruments filed by various organizations with respect to their creation, organizational structure, capitalization, operations, processes, etc.

Page 4, 1/92, TS-112

## TITLES

*Legal Instruments Examiner* is the title for positions in this series.

*Lead Legal Instruments Examiner* is the title for positions that meet the criteria in the [Work Leader Grade-Evaluation Guide](#).

*Supervisory Legal Instruments Examiner* is the title for positions that meet the criteria in the appropriate [supervisory evaluation guide](#).

Agencies may add parenthetical titles that identify the particular specialty, such as (Applications), (Bonds), (Contracts), (Conveyances), (Fiduciary Accounts), (Securities), and (Statements) when further distinctions are necessary. Work that requires a fully qualified typist or stenographer must be titled using the appropriate additional parenthetical title. (See titling instructions in the [Introduction to the Position Classification Standards](#).)

Page 5, 1/92, TS-112

## EVALUATING POSITIONS

The basic instructions and concepts for the Factor Evaluation System should be applied in the evaluation of positions. Evaluate nonsupervisory full performance positions at grades GS-6 and above using the grade level criteria that follow. Evaluate trainee and developmental positions using the FES [primary standard](#) in conjunction with this standard, related standards, and sound classification and position management practices.

Evaluate leader positions using the [Work Leader Grade-Evaluation Guide](#).

Evaluate supervisory positions using the criteria in the appropriate [supervisory evaluation guide](#).

## GRADE CONVERSION TABLE

Total points on all evaluation factors are converted to GS grade as follows:

GS Grade	Point Range
6	1105-1350
7	1355-1600
8	1605-1850
9	1855-2100

Page 6, 1/92, TS-112

## FACTOR LEVEL DESCRIPTIONS

### FACTOR 1, KNOWLEDGE REQUIRED BY THE POSITION

*Level 1-4 -- 550 points*

The work requires knowledge of particular regulations, interpretive material, procedures, and processes established by an agency to conduct examinations of a type<sup>1</sup> of legal instrument and associated supporting documents. This knowledge includes certain limited aspects of the subject-matter field, such as legal and technical terminology commonly encountered in the examination process. The knowledge is used to examine instruments that --

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<sup>1</sup>"Type" means sufficiently similar as to subject-matter and purpose to require the application of a single body or related bodies of governing provisions.

- present information and facts that are straight-forward, readily verifiable, and need little development;
- require limited searches of reference, file, or historical material; and
- entail comparisons with explicit criteria.

The work also requires skill in oral and written communication sufficient to obtain information and to deal with inquiries.

*Illustrations --*

- Employees evaluate applicants' experience for a variety of merchant marine ratings. They consider such items as qualifying experience, written exam scores, citizenship, physical examinations, visual tests, and any drug use and/or convictions. They administer and grade written examinations and compute applicants' sea service. They interview applicants to verify and clarify information and advise on such matters as how to prepare and obtain documentation, how to qualify for ratings, and how to restore eligibility. Employees determine the type of licenses applicants are qualified for, the size or horsepower of the vessels that applicants may serve aboard, and any route restrictions that may apply to the licenses. They answer questions and provide information on the documentation of merchant mariners.
- Page 7, 1/92, TS-112
- Employees examine applications for licenses and permits concerning the legal manufacture, sale, collection, and use of firearms and explosives. They consider such things as type of activity (e.g., pawnbroker, collector, dealer, manufacturer); kind of business ownership; proposed storage facilities; quantities of explosives involved; and criminal convictions, if any. They initiate record checks, secure related law enforcement and court documents, make various contacts to verify facts or obtain additional information, and refer probable violations to field investigation and inspection personnel. Employees compare accumulated information with pertinent records, files, and legal requirements and issue or recommend denial or revocation of licenses and permits. They respond to telephone inquiries concerning firearms and explosives license and permit requirements, procedures, and regulations.
  - Employees examine applications, legal attachments, and technical showings for private radio station licenses. They consider the type of activity, frequency, power emission, and other operational and technical details, for eligibility of service requested. They check available records, maps, charts, previous filings, and compare requested frequencies to standard technical specifications and clearances. Employees answer questions and provide information by phone, mail, and in person regarding certain published regulatory and policy specifications, status of applications, filing and processing procedures, and other functions of the licensing activity.

### *Level 1-5 -- 750 Points*

The work requires either: A) a greater depth of knowledge of the application of laws, regulations, and agency requirements and pertinent aspects of the subject-matter fields involved to examine a type of legal instrument and associated supporting documents, or B) a breadth of different regulatory and procedural knowledge, similar in depth to that described at Level 1-4, to examine more than one type of legal instrument and associated supporting documents.

Page 8, 1/92, TS-112

### *Situation A*

The work requires a depth of regulatory, procedural, and program-related knowledge to examine a type of legal instrument and associated supporting documents that require development and evaluation of the situation behind the documentation submitted; extensive searches of records, reference, or historical material; and comparisons with complex, voluminous, or broadly written criteria. This knowledge enables the examiner to deal with situations that involve varying conditions, circumstances, options, or alternatives and to arrive at a decision or recommendation tailored specifically to the individual case.

This knowledge includes sufficient familiarity with the subject-matter field to be able to seek out, interpret, and understand information in subject-matter texts and technical reference material.

### *Illustrations --*

- Employees examine reports of physical examinations, together with consultations, laboratory reports, requests for waivers, and other pertinent data concerning the physical and mental health of individuals for various classes of medical certification necessary to obtain an airman<sup>2</sup> certificate (license to fly or to perform other flight-related activities). They determine whether to issue a restricted or unrestricted certificate, or to deny medical certification when the individual does not meet medical standards. In cases of certain functional defects, employees develop information for the issuance of waivers in lieu of meeting the medical standards.
- Employees perform initial and continuing review of a large variety of documents submitted by warehousemen<sup>3</sup> who desire to participate in commodity storage agreement programs covering Government-owned or loaned bulk grain and rice commodities. These documents are required in the execution, suspension, or termination of contract

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<sup>2</sup>This is an established term used by industry and the Government to denote an individual engaged in certain aviation functions.

<sup>3</sup>This is an established term used in agricultural commodity dealings by industry and the Government. It refers to a warehouse owner, operator, or agent and is not be confused with former titles used for positions in the Federal Wage System.



agreements for the storage and handling of the commodities on a nationwide basis. Employees determine if various facility specifications, rates, and business arrangements proposed by warehousemen conform to prescribed technical standards.

Page 9, 1/92, TS-112

- Employees examine or "audit" realty case records covering civil and military real estate transactions. They confirm that all deeds, appropriate curative instruments, and final opinions have been received; that awards have been made in condemnation cases; and that proper court documents, formal transfer papers, and letter permits have been received. If property is subject to any outstanding interests, such as minerals, oil and gas leases, roads, or utility lines, they verify that necessary remedial action has been taken and that it has been properly reflected on the official project summary and map. As other real estate actions are accomplished, employees review the record and certify that the tract file is complete and accurate.
- Employees examine, process, and maintain records of all permit, license, and exemption matters that concern migratory bird and endangered migratory bird species in a multi-state region. These instruments grant permission to import or export wildlife or wildlife products, or to otherwise take and use migratory bird species. By obtaining permits and licenses or exempt status, individuals, businesses, institutions, and Native American tribes do not have to conform to regulations that would otherwise subject them to criminal or civil action. Employees serve as the primary informational resource for field personnel, and for public, institutional, and business inquiries; and as an expert witness during legal proceedings.
- Employees examine instruments and documents involved with the administration of beneficiary estates, the protection of benefit rights, and the identification of problems requiring action by field employees or attorneys. They review and approve petitions and statements of accounts that have been submitted during court proceedings or that are submitted by non-court-appointed fiduciaries. They determine fund needs, authorize release of funds from restricted accounts, and approve the liquidation of bonds. They adjust fund allowances for the beneficiary when information is received indicating a change in the financial situation and when requests for allowances are made by fiduciaries or beneficiaries. They take necessary action to protect benefit rights and advise fiduciaries of other Federal and state benefits to which the beneficiary may be entitled.

Page 10, 1/92, TS-112

### *Situation B*

The work requires knowledge of various regulations, interpretive material, procedures, and process established by agencies to conduct examinations of more than one type of legal instrument and associated supporting documents. This knowledge includes certain limited aspects of the subject-matter fields involved, such as legal and technical terminology commonly encountered in the examination process. This knowledge is used to examine instruments that differ in subject-matter and/or purpose and that require the application of multiple or unrelated bodies of governing provisions.

*Illustrations --*

- Employees examine, process, and maintain documentation for a variety of special use permits, mineral rights agreements, and licenses for use of Government land or facilities submitted by individuals, organizations, and businesses. For example, applications may concern pasture land, mineral leases, ski areas and resorts, outfitters and guides, marinas, clubs and camps, summer home tracts, and electronic and communication sites. Once the review of the documents submitted is completed and they are found to be acceptable, employees prepare the permit to be issued, including the calculation of the fees to be charged.
  
- Employees examine various types of bonds including: (a) advance payment bonds in connection with Medicare contracts; (b) performance and payment bonds given in support of contracts for supplies and services, and for construction contracts; (c) bonds covering the faithful performance of duties of officers and civilians entrusted with responsibility for Government funds and property; (d) bonds given to secure the safekeeping and return of Government property; (e) bonds given in connection with structures erected in navigable waters; (f) annual bid bonds; and (g) consents of surety. Employees determine whether bonds and supporting documents, such as contracts, wills, trust indentures, powers of attorney, and court orders are complete and in accordance with regulatory requirements; whether any irregularities affect the validity of the instrument; and whether the bond is sufficient to protect the interests of the Government as required by statute, regulations, or agreement.

Page 11, 1/92, TS-112

**FACTOR 2, SUPERVISORY CONTROLS***Level 2-3 -- 275 points*

The supervisor assigns work according to a standardized control system, such as batched work, case load level, geographic area, or some other defined structure. The supervisor provides standing general instructions about timeliness, objectives, and relative priorities. The supervisor assists the employee with unusual situations that do not have clear precedents.

The employee independently performs complete examining functions and carries out the successive steps and handles problems and deviations in the work assignment in accordance with instructions, policies, previous training, or accepted work practices.

Completed work is reviewed by a quality review sampling system and/ or is spot checked by the supervisor or a senior worker for appropriateness of results and conformity to established requirements and deadlines. Work methods used in arriving at a product are not normally reviewed in detail.

*Level 2-4 -- 450 Points*

NOTE: This level is only appropriate for positions in which the employee is delegated authority to take final disposition action, not subject to further technical review.

The supervisor sets the overall objectives and resources available. The work is usually assigned according to a standardized control system or otherwise goes directly to the employee. The employee participates in the development of standing general instructions about timeliness and relative priorities.

Page 12, 1/92, TS-112

In addition to performing all aspects of the work independently, the employee is also delegated commitment authority and takes final disposition action. The employee is responsible for resolving most of the conflicts that arise; coordinating the work with others as necessary; and, on own initiative, interpreting policy in keeping with established objectives. Certain cases may be referred to subject-matter specialists (e.g., medical doctors, engineers) because of legal requirements and/or professional standards of practice. The employee keeps the supervisor informed of progress and potentially controversial matters.

The employee's judgment is accepted as technically sound, and completed work is reviewed from an overall standpoint in terms of feasibility, compatibility with other work, or effectiveness in meeting requirements or achieving expected results.

### **FACTOR 3, GUIDELINES**

#### *Level 3-2 -- 125 points*

Procedures for doing the work are well established, and written guidelines, such as straight forward regulatory and technical specifications or otherwise interpreted regulations and technical material, procedural manuals, and other instructions are available for all aspects of the work. The employee selects the appropriate references and procedures for each phase of the examination process, question, or condition that develops.

The employee selects the appropriate guidelines according to circumstances arising from the particular instrument being examined. Some portions of the guidelines may change from time to time, and the employee must adjust to such changing conditions or interpretations. Situations to which the existing guidelines cannot be applied or circumstances that require significant deviations from the guidelines are referred to the supervisor.

#### *Level 3-3 -- 275 points*

The guidelines are numerous and varied, and consist of general and uninterpreted references, such as basic and unabridged laws or regulatory material, technical manuals, court or other legal decisions, and other precedents. These guidelines may contain, for example, frequent and extensive amendments or revisions, or superseded laws that continue to have certain applicability. They may contain differing provisions of overlapping jurisdictions, i.e., requirements of Federal, State, county, municipal, and/or international or foreign laws that must be applied; or they may

contain legislative, regulatory, or administrative exceptions that possess certain unique and deviant requirements. Some guidelines may include technical or professional literature of a difficult and advanced level, or other similar complicating conditions.

Page 13, 1/92, TS-112

The employee chooses from among a variety of guidelines, selects those that are most appropriate, and interprets and/or adapts them in relation to specific problems encountered in the examination process. The employee searches through complex and voluminous reference material and may encounter precedents that are incomplete or not specific to the situation and that require careful analysis and interpretation. The employee describes problem conditions and recommends changes or additions to examining procedures that are inadequately covered or are missing from existing guidelines.

## **FACTOR 4, COMPLEXITY**

### *Level 4-2 -- 75 points*

The employee reviews the instruments and supporting documents to determine whether they conform to governing provisions and whether the submitting party has met all requirements. The employee obtains additional information where necessary and searches available records, data bases, and historical material to insure that no conditions or conflicts exist that might preclude approval.

Legal instruments are standardized with respect to: (a) format -- the forms are usually designed to record specific items of routinely required information in a uniform manner; (b) function -- the forms are used for only one primary purpose or action; and/or (c) content -- the forms require substantially the same specific items of information to be present each time they are used. The supporting documents give direct, firsthand evidence and are usually considered as conclusively establishing the point in question.

Page 14, 1/92, TS-112

Actions taken in examining instruments are based on the results of searching, selecting, comparing, and deciding whether or not the submission meets the criteria required for approval. Decisions are based on comparing the information submitted with controlling agency criteria and previously recorded information. While choices are limited, difficulties encountered include meeting strict deadlines and keeping track of large quantities of facts, figures, information, and paperwork. The employee must pay attention to detail and be meticulous and accurate in searching file material, documenting records, and making precise notations and exact calculations.

### *Level 4-3 -- 150 points*

The employee reviews the instruments and supporting documents, obtains additional data or information to reconcile discrepancies, and determines whether the instruments conform to governing legal provisions, policies, precedent decisions, procedures, and other criteria. The

employee insures that the submitting party has met all requirements, then searches records, data bases, and historical material to determine that no conditions or conflicts exist that might preclude or limit approval. If such conditions are found to exist, the employee may notify the submitting party, explain why the action cannot be approved as requested, advise the party on how such requirements may be met, or provide information on alternative options. The employee decides on the appropriate disposition that may involve limited forms of approval, monitoring, or follow-up actions.

Legal instruments are not standardized with respect to: (a) format -- the manner of organization and presentation of information can vary substantially; (b) function -- the same instrument is used for different purposes or actions; and/or (c) content -- successive submissions of the same type of instrument may involve different kinds of information. Supporting documents also require interpretation and analysis in order to be applied to the basic instrument. Such documents may be part of an investigative file, docket, or other record of an agency, or may originate outside the agency in the form of a legal document, an exhibit, a report, a tax return, or some other form of evidence that supports action on the basic instrument.

Actions taken on examining instruments may be complicated by situations where the facts are not clearly established; information is likely to be fraudulent; contradictions, conflicts, and inconsistencies must be reconciled; and/or verification or development of information from external sources is required. The employee evaluates submissions in relation to legal requirements, verifies factual interrelationships that are not always obvious, and assesses a variety of situations that depend on the particulars of the case and the submitting party. The employee chooses an appropriate course of action from among several possible outcomes.

Page 15, 1/92, TS-112

## **FACTOR 5, SCOPE AND EFFECT**

### *Level 5-2 -- 75 points*

The purpose of the work is to examine legal instruments and supporting documents to determine whether portions of the submission meet governing provisions. The work is circumscribed by well defined and precise specifications. The employee shares responsibility for the examination with other persons or units of the organization.

The work comprises part of the examination process and affects the timeliness, accuracy, and acceptability of the agency's work products. The work provides the basis for subsequent actions taken by the organization to provide services to the public.

### *Level 5-3 -- 150 points*

The purpose of the work is to examine legal instruments and supporting documents to determine whether requested actions meet governing provisions. The work is accomplished in accordance

with established criteria and may involve subjective considerations, such as looking for misrepresentations, fraud, or other illegal activity.

The work directly affects the ability of individuals, partnerships, corporations, and others to obtain licenses, permits, rights, or privileges; to conduct various financial or contractual matters; to ascertain that persons have ownership or interest in property or securities; or to carry out other transactions that affect personal livelihoods.

Page 16, 1/92, TS-112

## **FACTOR 6, PERSONAL CONTACTS AND FACTOR 7, PURPOSE OF CONTACTS**

### *Persons Contacted*

1. Other examiners and support personnel in the immediate office or related units within the organization.
2. Various members of the general public, such as individuals and representatives of businesses or corporations, including attorneys; representatives of public, private, or nonprofit organizations; other personnel at different levels in the employee's agency; and employees in other Federal, State, or local entities. The contacts generally occur on a routine basis in the course of normal office activities.

### *Purpose of Contacts*

- a. To obtain, provide, or clarify facts or information concerning procedural aspects of the examining process. The information exchanged ranges from easily understood to highly technical but does not involve broader explanations of governing provisions.
- b. To explain certain provisions of laws, regulations, programs, and policies, and to answer questions that go beyond the procedural aspects of obtaining examination approval. Contacts take into account the particular circumstances of the inquiring party. They may include providing explanations of why approval was not given, discussing measures that might be taken to obtain approval in the future, and/or explaining alternative options that may be available. The employee may have to deal with disgruntled or angered applicants or parties who seek restricted information.

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1	30	60
2	45	75

**FACTOR 8, PHYSICAL DEMANDS***Level 8-1 -- 5 points*

No special physical demands are required. The work is primarily performed while sitting. There may be some walking, standing, bending, and carrying of light items such as files, records, and books. Some movement may be needed to obtain records from files in the office, to visit other offices in the building, or to visit other locations.

**FACTOR 9, WORK ENVIRONMENT***Level 9-1 -- 5 points*

The work environment involves everyday risks or discomforts that require normal safety precautions typical of such places as offices, meeting and training rooms, libraries, residences, or commercial vehicles. The work area is adequately lighted, heated, and ventilated.