Position Information – Legal Assistant (Senior Case Technician), GS-0986-6/7/8

This position is located in the hearing office of the Office of Disability and Adjudication Review (ODAR), Social Security Administration (SSA). At the full performance level, the incumbent would be expected to provide a full range of legal and technical support for Administrative Law Judges (ALJs) and other technical/professional positions in the Hearing Office in processing entitlement cases pursuant to Titles II, XVI and XVIII of the Social Security Act, as amended, at the administrative appeals level. **If hired below the full performance level, the incumbent will perform in a trainee capacity, with assignments leading to being able to perform the full range of duties described below.**

**Duties:**

- Reviews and analyzes cases to ensure sufficiency of evidence or documentation, and to ensure that cases are ready for hearing. Obtains both medical and non-medical evidence needed for hearings. This includes contact with the claimant and/or representative to secure current evidence of record or to independently request current evidence from a medical source through the State agency. On own initiative, may request a consultative examination if it is deemed necessary to complete the file. If the Request for Hearing (R/H) is untimely filed, contacts claimant or representative to secure information to decide whether good cause exists to extend the time for filing the R/H, or whether an ALJ dismissal should be issued. Drafts dismissal order for the ALJ if a determination is made that the R/H is untimely filed or if it does not meet sufficient legal and regulatory requirements. Identifies other discrepancies and/or deficiencies in the file and resolves by obtaining information, documentation and other pertinent data required to process the case.

- Prepares case summaries by outlining, in narrative form, information from all documents which reflect the prior medical history of the claimant and treatment undertaken, and any conflicting medical evidence. Also outlines case development taken on own initiative. This involves a close scrutiny of the medical evidence, treatment and treating sources so that the ALJ is fully cognizant of diagnoses and all areas of medical treatment provided the claimant. Points out discrepancies in factual issues that should be addressed at the hearing.

- Based on a thorough knowledge of the disability program, selects pertinent exhibits to be included in the case record. Marks exhibits in preparation of the case.

- Summarizes pertinent and factual data extracted from the claim file describing development taken to determine whether or not a R/H should be dismissed as untimely or as not meeting sufficient legal and regulatory requirements. Drafts Dismissal, if appropriate.

- Identifies cases for which the record supports favorable reversals and prepares supporting summaries of medical evidence and legal issues to be incorporated into the final decision.

- On own initiative, composes complex and/or technical correspondence to Members of Congress, claimants, attorneys, lay representatives and various offices of SSA relating to a wide variety of matters, releasing correspondence without review. Ensures that files are clearly annotated to identify congressional inquiries.

- Provides technical guidance and/or training in the hearing process to other employees on a wide variety of case processing procedures in accordance with SSA rules, regulations and policies.

- Communicates orally on a daily basis with attorneys, lay representatives, claimants, Congressional offices and other third parties, to answer questions relating to the hearing process based on SSA law, regulations and policy. Provides and receives information related to documentary evidence, filing and processing procedures, status of claimants' applications and other related areas of case processing.

- Communicates daily, either in a face-to-face situation or by telephone, with claimants who may be ill, upset or resentful of the Administration's processing of or denial of claim, to explain the Social Security law and process so as to alleviate the claimant's distress.

- Provides quasi-legal assistance to the ALJ and is recognized as the Agency's representative in defining the legal process and decorum to the claimant, attorney/lay representative and other participants in the hearing.

- Performs a wide range of actions in support of post-hearing case development, including composing correspondence to request medical reports from physicians, hospitals, claimants’ representatives, etc., and to prepare responses to written inquiries on cases. Maintains a follow-up system to ensure receipt of requested records.

- Discusses individual cases and reviews exhibits with claimants, lay representatives, and attorneys prior to the hearing. Explains hearing procedures, presents the proposed exhibits, and advises claimant of right to the admission of an exhibit(s).
Examines fee petitions received from attorneys/lay representatives for proper documentation. Analyzes time spent by the attorney/lay representative and complexity of case and recommends appropriate authorized fees. Examines fee agreements received from representatives for proper criteria before presentation to the ALJ for signature. Uses information at Section 1-5-109 of HALLEX to ensure correct processing. Ensures that the agreement meets all conditions for approval relating to fee setting, authenticity of attorney on the case, and legal guardian status.

Ensures that aged cases, terminally ill (TERI) cases and dire need cases are given priority and all steps of the process are handled in an expeditious manner.

As requested, performs scheduling coordinator functions. Schedules cases for hearing in accordance with legal and regulatory requirements and coordinates time and date of hearing with claimants, representatives, expert witnesses, and hearing reporters. This includes arranging for space, scheduling all participants, making necessary travel arrangements when the hearing is held at a remote site, preparing itineraries, and preparing travel vouchers. Prepares Notice of Hearing and prepares contractors invoices for payment of vocational and medical experts.

Upon receipt of additional evidence received after the hearing, reopen the record to admit the exhibits or closes the record if no additional evidence is received.

Maintains, reviews, updates and utilizes a variety of data systems (NS Elite, HOTS, etc.) to ensure timely scheduling of hearings, proper case flow, equitable distribution of workload and proper payment of services, travel, supplies and equipment.

Assists claimants and other visitors by responding to a variety of questions, often providing the claimants with information about their rights to be represented, when additional evidence is necessary, and providing other background information as requested.

As required, monitors hearings. When participating in hearings, incumbent is recognized as the Agency's representative in defining the legal process and decorum to the claimant and legal representative and other participants in the hearing. Sets up hearing room and recording equipment, ensuring that the equipment functions properly throughout the hearing. Prepares non-standard opening statement for the ALJ to use to begin the hearing. Assures that all evidence and testimony presented at the hearing is complete and recorded. Observes and makes notes of relevant hearing room conditions and records specific and relevant testimony of the claimant and/or witnesses.

As requested, performs master docket functions. This involves receiving and reviewing incoming material, inputting appropriate information into the computer, requesting claim files, reviewing files to determine timeliness of R/H filing, transferring cases, and giving status by telephone or letter to claimants and their representatives.

Uses personal computer for word processing functions, data input, queries, reports and case tracking systems. Maintains a library of permanent templates/diskettes of frequently used materials in ALJ decisions; e.g., SSA law and regulations paragraphs, findings of facts, and various generic decisional paragraphs. Uses the templates appropriately when typing documents.

As requested, may assist the Hearing Office Systems Administrator or management in training support staff in the use of computers, as well as various software applications which are used in decision processing (i.e., Microsoft Word), by demonstrating how the computer and software are used in performing their job. Notifies the appropriate personnel when equipment repairs are required.

Based on the type of case, prepares cases and decisions for mailing by ensuring copies of the decision are sent to the appropriate parties and effectuating component. When mailing fee agreements, ensures ALJ approval and signature before release. Processes and mails other correspondence as necessary.

As requested, photocopies portions of claim files to be presented to claimant, representative, medical and vocational experts before hearings are held.

As requested, performs receptionist duties; i.e., signing in claimants and hearing participants as they arrive for the hearing, answering questions at receptionist window; answering primary telephone line and responding to questions from the public; referring other calls to staff.

Performs other duties as assigned.

**Complexity:**

The work consists of reviewing documentary evidence, medical documentation and/or legal precedent, obtaining additional information to reconcile discrepancies, and determining plausible recommendation for dismissal of a case. Incumbent recommends Dismissal if appropriate.
• Actions taken on a case 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 incumbent must choose an appropriate course of action from among several possible outcomes.

• The nature of the work requires the incumbent to exercise a wide range of judgment and the ability to negotiate/deal with a variety of sources. The incumbent must be able to adjust priorities on a daily basis and recognize situations that require considerable judgment and tact.

Responsibility:

• The purpose of the work is to examine legal and medical documentary evidence and supporting documents to determine how the case is to proceed. The work directly affects the ability of Social Security claimants to obtain benefits under the Social Security Act.

• The quality and timeliness of the work has a direct effect on the decision-making process in the Hearing Office. Decisions and work of incumbent impact the due process rights of a claimant and the legal decisions relating to the granting or denial of benefits. ALJs rely on incumbent's ability to meet time frames with a thorough work product.

Personal Contacts:

• Contacts are with a wide variety of persons, including various members of the general public, including attorneys, claimants, lay representatives, physicians, vocational experts, Disability Determination Services, Congressional liaison staff, and other SSA and ODAR personnel within field offices, Teleservice Centers, ODAR Headquarters and regional offices. The incumbent determines the nature and extent of the contacts required which varies substantially from one case to another. The extent of such contact is different and the role and authority of each party is identified and developed during the course of the contact. Contacts are made to explain certain provisions of laws, regulations, programs and policies involving the basic legal processing of a case, and to answer a wide range of legal and technical questions that go beyond the procedural aspects involving the basic legal process of a case. Contacts may include providing explanations of why a claimant was not awarded Social Security benefits and how to appeal that action.

Physical Demands & Work Environment:

• The work is primarily performed while sitting. There may be some walking, standing, bending and carrying of 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. The work is performed in an office setting involving everyday risks or discomforts that require normal safety precautions typical of such places as offices, meeting and hearing rooms.