



HAWAII STATE ETHICS COMMISSION

State of Hawaii • Bishop Square, 1001 Bishop Street, ASB Tower 970 • Honolulu, Hawaii 96813

HAWAII STATE ETHICS COMMISSION STAFF ATTORNEY POSITION

Application Deadline: August 26, 2016

- I. Advertisement for Staff Attorney Position

- II. Position Description



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STAFF ATTORNEY

Assists the Commission with the administration and enforcement of the State Ethics Code (HRS Chapter 84) and the Lobbyists Law (HRS Chapter 97). Major duties: Provides legal advice and guidance to the Commission; advises state officials, state employees, lobbyists, and the public about the State Ethics Code and the Lobbyists Law; conducts investigations; represents the Commission in contested case hearings; researches and writes legal opinions and prepares other legal documents; reviews financial disclosures, gifts disclosures, and lobbying reports filed with the Commission; and conducts educational presentations. Admission to Hawaii Bar is required; however, we will consider exceptional candidates admitted to practice in jurisdictions other than Hawaii who commit to taking the Hawaii Bar examination at the earliest possible opportunity. Excellent communication and writing skills are required. 5+ years of experience in a fast-paced legal environment desired. For more information about the position, visit our website at <http://ethics.hawaii.gov>. Send resume and writing sample by **August 26, 2016**, to:

HAWAII STATE ETHICS COMMISSION
1001 Bishop Street ASB Tower Suite 970
Honolulu, Hawaii 96813

or

Email: ethics@hawaiiethics.org

An Equal Opportunity Employer



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HAWAII STATE ETHICS COMMISSION POSITION DESCRIPTION FOR STAFF ATTORNEY

I. INTRODUCTION

Article XIV of the Hawaii State Constitution provides that public officers and employees must exhibit the highest standards of ethical conduct. To this end, Article XIV mandates that the legislature adopt a code of ethics applicable to all appointed and elected officers and employees of the State. The Hawaii State Ethics Commission (“Commission”) administers and enforces this code of ethics as set forth in Hawaii Revised Statutes (“HRS”) Chapter 84 (“State Ethics Code”).

The Commission also administers and enforces the Lobbyists Law, HRS Chapter 97, which prescribes registration and reporting requirements for lobbyists and organizations that engage in lobbying activities at the state level.

The Commission employs an Executive Director and Associate Director, four staff attorneys, a computer specialist, and three secretaries. The Commission’s employees are exempt from HRS Chapter 76 (Civil Service Law) and serve at the pleasure of the Commission pursuant to HRS section 84-35.

II. MAJOR DUTIES AND RESPONSIBILITIES

Under the direction of the Executive Director, the staff attorney performs legal services relating to the administration and enforcement of the State Ethics Code and the Lobbyists Law.

Legal Counsel to Commission. Serves as legal counsel to the Commission. Provides legal advice and guidance to the Commission regarding HRS Chapters 84 and 97, and other relevant laws. Conducts legal research and drafts legal opinions and other documents for the Commission. Represents the Commission in administrative hearings and other proceedings.

Administration and Enforcement of HRS Chapters 84 and 97. Assists with the administration and enforcement of HRS Chapters 84 and 97, including the following:

Advice Regarding HRS Chapters 84 and 97. Advises state legislators, state employees, and members of state boards and commissions about HRS Chapter 84. Advises lobbyists and organizations that engage in lobbying activities about HRS Chapter 97. Conducts legal research and drafts staff opinion letters, advisory

opinions, legal memoranda, and other documents relating to the interpretation and application of HRS Chapters 84 and 97.

Enforcement of HRS Chapters 84 and 97. Conducts enforcement proceedings relating to possible violations of HRS Chapters 84 and 97. Initiates and conducts investigations; prosecutes charges or serves as legal counsel to the Commission in contested case hearings concerning charges; drafts resolutions authorizing investigations, subpoenas, charges, decisions, and other legal documents relating to enforcement proceedings.

Reporting Requirements for HRS Chapters 84 and 97. Assists with the administration of laws under HRS chapter 84 that require the filing of financial disclosure statements,¹ gifts disclosure statements,² and state contract notices.³ Assists with the administration of laws under HRS Chapter 97 that require the registration of lobbyists⁴ and the filing of lobbying expenditures and contributions reports.⁵ Updates and revises forms and instructions; responds to inquiries and assists filers in complying with the filing requirements; and implements audit or review procedures to ensure that filings comply with the law.

Education Program. Participates in the Commission's education program for state officials and employees, lobbyists and organizations that lobby, and the general public. Conducts training sessions and presentations, including mandatory ethics training courses for state legislators, department heads, and other state officials as required by law.⁶ Helps develop and prepare educational materials, including the Commission's newsletter and other publications.

Legislation. Participates in the Commission's legislative activities, which include: (1) drafting bills and resolutions; (2) tracking legislation; (3) drafting written testimony; (4) attending legislative hearings; and (5) testifying on behalf of the Commission.

Administrative Rules. Participates in the adoption, amendment and repeal of the Commission's administrative rules in accordance with HRS Chapter 91 (Administrative Procedures).

Commission Meetings. Participates in Commission meetings and discussions. Prepares meeting materials for the Commission, including staff summaries and legal analyses, legal documents for Commission review and approval, and case status updates. Helps draft and review meeting minutes.

¹ HRS section 84-17.

² HRS section 84-11.5.

³ HRS section 84-15(b).

⁴ HRS section 97-2.

⁵ HRS section 97-3.

⁶ HRS Chapter 84, Part V (Mandatory Ethics Training).

Other Duties. Performs any and all other duties as required.

III. CONTROLS OVER THE POSITION

Supervisor. Pursuant to HRS section 84-35, serves at the pleasure of the Commission. Reports to the Commission's Executive Director. Subject to periodic performance evaluations by the Executive Director.

Full-time employment. Shall dedicate the necessary time and effort to perform all duties described herein on a full-time basis. Shall not engage in any part-time or other employment that conflicts, detracts, or prevents the performance of all required duties in a prompt and efficient manner.

Standards of Conduct. Shall comply with the standards of conduct for state employees pursuant to HRS Chapter 84, the State Ethics Code. Shall file an annual financial disclosure statement in accordance with HRS section 84-17(c)(3).

Prohibition from political activity. Pursuant to HRS section 84-35.5, shall not take an active part in political management or in political campaigns during the term of office or employment.

IV. MINIMUM QUALIFICATION REQUIREMENTS

In accordance with HRS section 78-1(c), shall be a citizen, national, or permanent resident alien of the United States, or eligible under federal law for unrestricted employment in the United States; and shall become a resident of the State within thirty days after beginning employment as a condition of eligibility for continued employment.

Graduate with a Juris Doctor degree from an American Bar Association accredited law school. Licensed attorney and member in good standing of the Hawaii State Bar.

Shall possess excellent oral and written communication skills.

V. RECOMMENDED QUALIFICATIONS

Five or more years of legal work experience as a licensed attorney.

Significant litigation experience and knowledge of court procedures.

Knowledge of state government organization and interagency relationships.

Knowledge of administrative law and administrative procedure, including rule making and contested case procedures. Knowledge of open meetings and public records laws.

Knowledge of the legislative process.

Strong interpersonal skills.

Basic computer skills and ability to use Microsoft Word, Excel, Outlook.