

Job Announcement
Federal Emergency Management Agency
Office of Chief Counsel

Position Title: Trial Attorney
Duty Station: FEMA HQ (Remote Eligible)
Grade: IC-13/14

OPENING DATE: September 9, 2024	CLOSING DATE: September 30, 2024
POSITION TITLE AND DIVISION: Trial Attorney for Response and Recovery Legal Division, Disaster Litigation & Arbitration Branch	
SERIES, PAY PLAN, GRADE, SECURITY CLEARANCE, AND TRAVEL: Trial Attorney-IC-0905-13/14. These positions are public trust positions at the full performance level of IC-14 in accordance with the approved RRLD force structure.	
DUTY STATION LOCATION AND REMOTE WORK ELIGIBILITY: The duty station for these positions will be at FEMA HQ in Washington DC, however these positions are eligible for remote work if the candidates reside within 50 miles of FEMA HQ.	
POSITION TYPE: These are Cadre of On-Call Response/Recovery Employee (CORE) positions. These are temporary appointments in the Excepted Service, not to exceed two (2) years, with the option to extend based on workload and funding availability. These are new positions pending approval. Candidates may be interviewed; however, the position cannot be filled until authorized.	
POSITION SUMMARY AND IDEAL CANDIDATE: FEMA's Response and Recovery Legal Division (RRLD) is hiring four IC-13/14 CORE trial attorneys for its Disaster Litigation & Arbitration Branch (DLIT) to <u>litigate and/or arbitrate matters related to FEMA's Public Assistance (PA) and Individual Assistance (IA) grant programs in Federal District Court and before administrative adjudicatory forums such as the Civilian Board of Contract Appeals.</u> If interested, please submit your resume, cover letter and a writing sample to Brock.Pierson@fema.dhs.gov . Litigation experience is not required for the IC-13 level position but is required for the IC-14 position, ideally with a particular emphasis and knowledge of the Administrative Procedure Act. The ideal candidate would also have experience in Federal Programs (specifically, experience with IA or PA issues), as well as significant knowledge or experience addressing complex legal issues pertaining to one or more of the following areas: constitutional law, fiscal law, procurement, grants management, environmental law, floodplain management and hazard mitigation, disaster response and recovery, environmental and historic preservation laws, and emergency preparedness. The trial attorney should have experience analyzing and interpreting federal and state statutes, regulations, policies, Executive Orders, and judicial and administrative decisions in the course of rendering their advice.	

Upon starting the position, the trial attorney is expected to have the skills necessary to write concise, effective, and legally sufficient responses to complaints and/or other motions against the agency, as well as to responses to requests for arbitration. The trial attorney must work well with the client programs and possess superior oral and written communication skills. The trial attorney should also have strong character, interpersonal skills and have demonstrated the capacity to function, with minimal guidance, in a highly demanding environment.

DUTIES OF THE POSITION:

The trial attorney will conduct preliminary reviews of Agency actions in anticipation of litigation, conduct case research and prepare motions, briefs, and other pleadings. The trial attorney will also represent FEMA before the Civilian Board of Contract Appeals in arbitration hearings regarding disputes over Public Assistance. Such representation includes the drafting of briefs and motions, as well as participating as lead or co-counsel in proceedings, conferences and hearings before the Board. The trial attorney may be called upon to argue motions in Federal court and represent FEMA in court proceedings, conferences, and hearings. After the conclusion of litigation or arbitration matters, the trial attorney will provide feedback and lessons learned designed to strengthen the Agency's position in any future similar circumstances. Additionally, the trial attorney may be called on to help advise on the development of pertinent regulations and policy, as well as advise or provide feedback or analysis on the disposition of matters related to FEMA's Public Assistance or Individual Assistance programs that contain any potential risk for litigation.

QUALIFICATIONS REQUIRED/SPECIALIZED EXPERIENCE:

Minimum Requirements include:

- U.S. Citizenship,
- Ability to successfully pass a background investigation (public trust),
- Ability to obtain and maintain a government travel card,
- Selective Service registration for males born after 12/31/59,
- A graduate of an ABA accredited law school,
- Membership in good standing of the Bar of a State, the District of Columbia, or the Commonwealth of Puerto Rico.
- Relevant experience or education that demonstrate the particular knowledge or skills that are essential to satisfactory performance in the particular position, and
- Agreement with Every Employee is an Emergency Manager requirement.

You qualify for this position at the IC-13 level if you possess the following:

- A minimum of two (2) years of full-time professional legal experience (after Bar admission); and one (1) full year of specialized experience equivalent to the next lower grade (IC-12) in the Federal Service. This experience may have been gained in the federal government, a state or local government, a non-profit organization, the private sector, or as a volunteer; however, your resume must clearly describe at least one year of specialized experience. Examples of specialized experience would typically include but are not limited to:
 - Independently analyzing and interpreting federal and state statutes, regulations, and policies; Executive Orders; and judicial and administrative decisions in the course of rendering advice.
 - Working in one or more of the following areas: administrative law, personnel law; fiscal law; procurement; grants management; environmental law; floodplain management and hazard mitigation; disaster response and recovery; environmental and historic preservation laws, and emergency preparedness.

- Experience providing legal advice and/or representation on complex administrative law, personnel law; fiscal law; procurement; grants management; environmental law; floodplain management and hazard mitigation; disaster response and recovery; environmental and historic preservation laws, and emergency preparedness. Experience refers to paid and unpaid experience, including volunteer work done through National Service programs (e.g., Peace Corps, AmeriCorps) and other organizations (e.g., professional, philanthropic, religious, spiritual, community, student, social). Volunteer work helps build critical competencies, knowledge, and skills and can provide valuable training and experience that translates directly to paid employment. You will receive credit for all qualifying experience, including volunteer experience.

You qualify for this position at the IC-14 level if you possess the following:

- A minimum of three (3) years of full-time professional legal experience gained after being admitted to the bar, including at least two (2) years of specialized experience that is directly related to the position being filled; and
- At least one (1) of the two (2) years of specialized experience must be at a level of difficulty and responsibility equivalent to that of an attorney at the GS-13 level. Examples of specialized experience would typically include but are not limited to:
 - Independently analyzing and interpreting federal and state statutes, regulations, and policies; Executive Orders; and judicial and administrative decisions in the course of rendering advice.
 - Substantial experience in one or more of the following areas: administrative law, personnel law; fiscal law; procurement; grants management; environmental law; floodplain management and hazard mitigation; disaster response and recovery; environmental and historic preservation laws, and emergency preparedness.
 - Experience providing legal advice and/or representation on complex administrative law, personnel law; fiscal law; procurement; grants management; environmental law; floodplain management and hazard mitigation; disaster response and recovery; environmental and historic preservation laws, and emergency preparedness. Experience refers to paid and unpaid experience, including volunteer work done through National Service programs (e.g., Peace Corps, AmeriCorps) and other organizations (e.g., professional, philanthropic, religious, spiritual, community, student, social).
- Litigation experience is required, including experience drafting pleadings, motions and other filings for court as well as courtroom experience as first or second chair in hearings before judges.

REQUIRED DOCUMENTS: At time of application, the applicant must submit a:

- Cover letter explaining their interest in the position and how their experience will make them an outstanding Supervisory Attorney Advisor; and
- Resume.
- Writing Sample

Prior to tentative job offer, the applicant must also provide:

- Proof of bar admission
- Law school transcript from an accredited law school

EMERGENCY MANAGER ASSIGNMENT:

Every FEMA employee has regular and recurring emergency management responsibilities, though not every position requires routine deployment to disaster sites. All FEMA employees are subject to 24-hour on-call in the event of an emergency. In the event of an emergency deployment, travel requirements may be extensive in nature (weeks to months), with little advance notice, and may require relocation to emergency sites, some of which are quite austere. The length of deployment may last anywhere from days to months, depending upon the nature of the emergency or disaster.

EQUAL OPPORTUNITY:

OCC is a diverse workplace, promotes equal opportunity, and welcomes all qualified applicants without regard to race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), parental status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or other non-merit-based factors.

REASONABLE ACCOMMODATION:

Please contact the Hiring Manager listed below if you require a reasonable accommodation for the application process as soon as possible.

HOW TO APPLY:

Candidates may apply by submitting their resume, cover letter and a writing sample to Brock.Pierson@fema.dhs.gov by the closing date listed above. The subject line of the email should reference that you are applying for the Trial Attorney position.