

Washington State Department of Personnel  
Class Specification

**FISHERIES ADMINISTRATIVE AND CRIMINAL LAW SPECIALIST**

422V

**Adopted 11/12/2009, Abolished 11/13/2009**

**Definition:**

Directs the administrative law section of the agency. Reviews all agency administrative rule proposals for compliance with legal requirements and coordinates regulatory action. Manages the public hearing process and serves as hearings officer. Represents the agency before appeals boards/administrative law judges. Assists prosecutors in enforcement of criminal sanctions for violations of regulations.

**Typical Work:**

Reviews all proposals for emergency and permanent administrative rule filing to determine compliance with statutes, including the Fisheries Code, Administrative Procedures Act, State Register Act, and Regulatory Fairness Act;

Coordinates rule promulgation between divisions of the agency and coordinates regulatory action unit the Oregon Department of Fish and Wildlife and National Marine Fisheries Service in geographic areas of responsibility;

Reviews proposed rules to ensure they are sufficiently clear and consistent to be legally enforceable; suggests and writes revisions to rules to bring them into compliance with legal requirements;

Directs administrative hearings process; coordinates hearings and serves as hearings officer; drafts synopsis of testimony for agency director;

Reviews all license appeals; represents the agency in hearings before license appeals boards and administrative law judges;

Assists county prosecutors in Fisheries Code violation prosecution; advises prosecutors regarding statutory and regulatory basis of enforcement action taken; prepares case summaries; and coordinates agency logistical and technical support;

Provides analysis of statutory and case law for enforcement officers; analyzes recent appellate court decisions for applicability to Fisheries Code violation enforcement, and provides technical analysis of pending legislation;

Performs other work as required.

**Knowledge and Abilities:**

Knowledge of: administrative, tort, criminal and common law and particularly Washington and Oregon State laws and Federal laws dealing with the functions of the Department of Fisheries, including the Fish and Wildlife Codes of Washington and the Oregon Department of Fish and Wildlife, the Columbia River Compact, the Lacey Act, and the Marine Mammal Act; published decisions; policy and regulations of the agency and decisions rendered by the State and Federal courts; judicial procedures and rules of evidence.

Ability to: analyze statutory requirements for regulation compliance; deal tactfully with people to resolve conflicting intent among regulation proposals; conduct fair hearings; make rulings on points of law and admissibility of evidence; determine credibility of witnesses; exercise judgment in evaluating evidence and expert witnesses; write concisely and accurately; deliver oral presentations.

**Legal Requirement(s):**

There may be instances where individual positions must have additional licenses or certification. It is the employer's responsibility to ensure the appropriate licenses/certifications are obtained for each position.

**Desirable Qualifications:**

Graduation from an accredited school of law or membership in the Washington State Bar Association.

AND

Three years of public or private sector experience working with the Washington Administrative Procedures Act; or three years as a hearings officer in a Washington State government agency.

**Class Specification History:**

New class Effective May 13, 1988

New class code: (formerly 47670) effective July 1, 2007