

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT



POSITION VACANCY ANNOUNCEMENT

ANNOUNCEMENT NO.: CAFC-19-10

OPEN: September 9, 2019
CLOSE: September 27, 2019

POSITION TITLE AND SALARY: Assistant General Counsel
CL 32 (\$129,330 - \$176,900)
Salary in accordance with recruitment and promotion rules

LOCATION OF POSITION: United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W.
Washington, D.C. 20439

About the Court

The United States Court of Appeals for the Federal Circuit (CAFC) was established under Article III of the Constitution on October 1, 1982. The court was formed by the merger of the United States Court of Customs and Patent Appeals and the appellate division of the United States Court of Claims. The court is located in the Howard T. Markey National Courts Building on historic Lafayette Square in Washington, D.C.

The Federal Circuit is unique among the thirteen Circuit Courts of Appeal. It has nationwide jurisdiction in a variety of subject areas, including international trade, government contracts, patents, trademarks, certain money claims against the United States government, federal personnel, veterans' benefits, and public safety officers' benefits claims. Appeals to the court come from all federal district courts, the United States Court of Federal Claims, the United States Court of International Trade, and the United States Court of Appeals for Veterans Claims.

The court also considers appeals of certain administrative agencies' decisions, including the United States Merit Systems Protection Board, the Boards of Contract Appeals, the Patent Trial and Appeal Board, and the Trademark Trial and Appeal Board. Decisions of the United States International Trade Commission, the Office of Compliance, an independent agency in the legislative branch, the Government Accountability Office Personnel Appeals Board, and the Department of Justice Bureau of Justice Assistance also are reviewed by the court.

Position Overview

The Assistant General Counsel (Assistant GC) position is located in the Office of the General Counsel (OGC), which is composed of the Office of Senior Technical Assistant (STA) and the Office of the Senior Staff Attorney (SSA). Among other responsibilities, the OGC assists the court with the disposition of motions filed before a case is assigned to a merits panel and the disposition of petitions for writs of mandamus. The office uses the scientific and legal

backgrounds of its technical assistants (TAs) and staff attorneys (SAs) to assist the court in resolving a variety of legal issues that arise across its jurisdictional areas, including supporting the court when dealing with cases that involve matters of a highly technical nature. The Assistant GC serves as the primary legal and procedural advisor to the Senior Staff Attorney/General Counsel (GC) and assists the GC in all facets of the OGC's work.

Responsibilities of the Assistant GC may include, but are not limited to:

Serves as a primary legal and procedural adviser to the GC, as acting GC in the GC's absence, and as a supervisor for the TAs and SAs. Assists the GC in interpreting and revising the court's *Rules of Practice* and internal operating procedures; selecting potential cases for mediation and in handling the OGC's responsibilities relating to the court's mediation program; and helping the GC in analyzing and handling compliance, personnel, ethical, and administrative matters.

Assists a judge or a panel of judges in resolving motions and petitions, including the following: reviewing motions and petitions for writs of mandamus; preparing draft orders; providing guidance and supervision to TAs or SAs in their research and preparation of draft orders or opinions; editing draft orders and opinions of TAs and SAs; and supervising the process of screening cases for jurisdictional defects. Responds to a variety of requests by individual judges and their law clerks involving court procedures, rules of practice, and matters requiring additional research. Assists the court, either in a supervisory capacity or directly, on court related projects, typically at the request of the Chief Judge but also at the request of any other judge.

Assists the court's attorney discipline standing panel, including evaluating whether matters may warrant disciplinary action and preparing memoranda and draft orders or opinions for review by the attorney discipline standing panel. Assists the court in the processing of judicial conduct complaints, including evaluating complaints and other filings and preparing memoranda and draft orders to the Chief Judge or other designated judge.

Maintains an expertise in intellectual property, trade law, government contracts law, veterans' benefits law, and all other areas of the law within the court's jurisdiction.

Coordinates hiring and training of new personnel in OGC.

Serves as liaison to other units within the court (e.g., Clerk's Office).

Required Competencies

Candidate must be an exceptional lawyer interested in all areas of the court's jurisdiction and federal appellate practice; have extensive knowledge of litigation in federal courts, including knowledge of the Federal Rules of Civil and Appellate Procedure and Evidence; have the ability to conduct legal research with all available sources and provide solutions based on that research; and be skilled in the oral and written presentation of complicated legal matters.

Required Qualifications

Candidates must possess at a minimum, a Juris Doctor (JD) degree from a law school accredited by the American Bar Association and be a member of the bar of a state, territory, The District of Columbia, the Commonwealth of Puerto Rico, or a federal court of general jurisdiction.

Candidates must have a minimum of six (6) years of extensive legal experience that provides the candidate with the particular knowledge skills and abilities to perform the duties of this position. The overall experience must include a minimum of one (1) year of specialized

experience at or equivalent to the CL 31. The preferred candidate will possess federal court experience.

Application Process and Information

To be considered application packages must include:

1. Cover letter of no more than two pages, wherein the applicant describes the knowledge, skills, abilities, and or experience that would make her/him well qualified to fill this position
2. Resume outlining educational background, employment history, and other relevant information
3. Writing sample, limited to 10 pages, that does not consist of a law review or other work substantially edited by others
4. Completion of online AO-78, Federal Judicial Branch Application for Employment

Once you have the files readily accessible in PDF format, follow the link below to submit your files and complete the online AO-78 (item 4 above):

<https://www.ondemandassessment.com/link/index/JB-GFIZYQUM7?u=116354>

Applicants who require an exception to the online application may contact Human Resources to request an alternate method using the following email: hr@cafc.uscourts.gov

Other Information

Only those applicants selected for an interview will be contacted and must travel at their own expense; except that reimbursement for travel may be available during the final stages of the interview process. Reimbursement for relocation is not available.

The court reserves the right to modify the conditions of this announcement, commence interviews immediately, withdraw the announcement, or fill the position at any time, any of which actions may occur without notice.

Employees of the United States Court of Appeals for the Federal Circuit are excepted service appointments. Federal government civil service classifications or regulations do not apply. All offers of employment are provisional pending successful completion of a background check or investigation and a favorable employment suitability determination. This position is subject to Electronic Funds Transfer (EFT) for payroll deposit.

Must be a U. S. citizen or eligible to work in the United States. Non-citizens may be interviewed and considered for employment, but employment offers will only be made to individuals who qualify under one of the exceptions in 8 U.S.C. § 1324b(a)(3)(B). Under 8 U.S.C. § 1324b(a)(3)(B), a lawful permanent resident seeking citizenship may not apply for citizenship until he or she has been a permanent resident for at least five years (three years if seeking naturalization as a spouse of a citizen), at which point he or she must apply for citizenship within six months of becoming eligible, and must complete the process within two years of applying (unless there is a delay caused by the processors of the application). Non-citizens who have not been permanent residents for five years will be required to execute an affidavit that they intend to apply for citizenship when they become eligible to do so.

The United States Court of Appeals for the Federal Circuit is an Equal Employment Opportunity employer.