Recruiting and Hiring Agency Attorneys

Ad Hoc Committee

Proposed Recommendation | December 12, 2019

Attorneys serve crucial roles within federal agencies. For example, they defend agencies in litigation, draft regulations, investigate complaints, and resolve legal issues surrounding information disclosure, among their many functions. Attorneys support nearly all the operations of agencies, helping to ensure their fair and successful functioning as well as the legality of their actions. Therefore, it is critical to ensure that agencies hire a corps of highly qualified attorneys.1

The term “agency attorney” can have many different meanings. To clarify the kind of agency attorneys to which this Recommendation refers, it is necessary to briefly examine the background of the civil service hiring laws.

This Recommendation offers best practices for the recruitment and hiring of federal agency attorneys in the excepted service (explained below), who comprise the majority of attorneys in the federal government.2 The laws applicable to excepted service hiring generally, and to hiring of attorneys particularly, are more flexible than those applicable to hiring other

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federal employees. This Recommendation suggests ways agencies can structure their recruitment and hiring to make optimal use of these flexibilities and attract highly-qualified attorneys.

Background on Federal Personnel Law

Title 5 of the U.S. Code creates three categories of civil service positions: (1) competitive service, (2) excepted service, and (3) senior executive service. Most civil service positions are in the competitive service. The attorney positions addressed in this Recommendation are in the excepted service. As explained below, however, they are not subject to most of the rules governing the hiring of excepted service positions.

Agencies that wish to fill a position in the competitive service must generally offer all U.S. citizens and nationals the opportunity to compete in a public and open examination, and those who rank highest are eligible for selection. The procedures that agencies must follow in administering this competition and ultimately making selections are extremely detailed and complex. Although a full accounting of them is beyond the scope of this Recommendation, they include (1) posting a vacancy announcement on USAJobs.gov, the federal jobs portal (hereinafter “USAJobs”); (2) using minimum qualifications generated by the Office of Personnel Management (OPM) to determine who is qualified for a position; (3) formally assigning numerical ratings to applicants and selecting among the top three candidates (or, alternatively, adopting a rating system in which applicants are placed into “categories”); (3) hiring only from lists of candidates prepared by an agency delegated examining unit; (4) using Office of Personnel Management (OPM)-generated “qualification standards” within the vacancy announcement; and

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1 The senior executive service is not addressed in this Recommendation.

4 Those holding these positions are often referred to as “0905 attorneys” in reference to the occupational series that the Office of Personnel Management assigns to those attorneys who are in the General Schedule pay system. Many agencies use “0905” to refer to attorneys performing equivalent functions in other statutory pay systems. All such attorneys are within the scope of this Recommendation. This Recommendation does not apply, however, to (a) attorney positions provided for in titles of the U.S. Code other than Title 5, (b) attorney positions in the senior executive service, and (c) licensed attorneys who serve in non-attorney positions.

(5); (4) adhering to detailed procedures for giving veterans and certain family members of veterans (hereinafter “preference eligibles”) priority consideration; and (5) hiring only from lists of candidates prepared by OPM or, if OPM has delegated this function to an agency, by the agency’s own human resources (HR) office (formally called a “delegated examining unit” (DEU)). For most excepted service appointments, the rules are generally the same as the above except that agencies need not post an announcement on USAJobs or use OPM-generated minimum qualifications.7

Title 5’s civil service Although attorney positions are placed in the excepted service rather than the competitive service when the President or OPM finds that conditions of good administration so warrant or when Congress itself excepts such positions regulations further exempt agencies from the competitive service (which may involve establishing agency specific rules for how positions may be filled). When the President or OPM makes the requisite finding for a position having to be in the excepted service, OPM places it into a “schedule” (of which there are currently five, lettered A through E, within the Code of Federal Regulations (C.F.R.));8 based upon the underlying basis for the exception.9

OPM has placed Title 5 attorney positions under “Schedule A” of the excepted service. Although there are different hiring rules depending on which schedule an excepted service appointment is in, selection for excepted service appointments other than appointments for attorney positions generally must be made “in the same manner and under the same conditions required for the competitive service by sections 3308–3318 of [Title 5].”10 Included within

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6Alternatively, agencies may adopt a system in which they establish two or three rating categories (e.g., “unqualified,” “qualified,” and “highly qualified”) and place each applicant into one of the categories. Agencies may not offer employment to any candidate in a lower category before they offer it to a candidate in a higher category. See 5 U.S.C. § 3319.


8See Civil Service Rule VI (5 C.F.R. § 6.2).


10Id. § 3320.
sections 3308 to 3318 are the formally rank applicants, use detailed procedures—mentioned above—for giving preference eligibles veterans and their family members priority consideration.\textsuperscript{11} OPM’s regulations prescribe procedures on how agencies are to accord preference eligibles priority consideration when filling excepted service positions other than attorney positions.\textsuperscript{12}

Congress has restricted OPM from examining authority over excepted service attorney positions through annual appropriations law.\textsuperscript{13} Such positions are therefore placed in the excepted service and exempt from most of the rules that otherwise apply to excepted service positions.\textsuperscript{14}

This Recommendation applies to agency attorneys who are hired for positions under Schedule A of the excepted service. It does not apply to (a) attorney positions provided for in parts of the U.S. Code other than Title 5; (b) attorney positions in the senior executive service; and (c) attorneys who serve in non-attorney capacities. Attorney positions addressed in this Recommendation are the majority of attorney positions in the federal government.\textsuperscript{15} Those holding these positions are often referred to as “0905 attorneys” in reference to the occupational series assigned by OPM to those attorneys who are in the General Schedule pay system.\textsuperscript{16}

Because of the exemption from the rules that apply to other excepted service positions under 5 C.F.R. part 302,\textsuperscript{17} and hire from lists of candidates prepared by OPM or a DEU.\textsuperscript{17} The result is that the laws governing the hiring process for 0905-attorney positions are generally

\textsuperscript{11} See, e.g., id. § 3317.
\textsuperscript{12} See, e.g., 5 C.F.R. § 302.304.
\textsuperscript{14} See 5 C.F.R. § 302.101(c)(8).
\textsuperscript{16} Although the occupational series “0905” refers specifically to attorneys under the General Schedule pay system, as used in this Recommendation, it includes attorneys performing equivalent functions in other statutory pay systems.
\textsuperscript{17} See 5 C.F.R. § 302.101(c).
much less restrictive than the laws governing the hiring process for competitive and other excepted service positions. For example, agencies need not post announcements on USAJobs, use human resources (HR) officials to screen applicants, use qualifications established by OPM, or use category or numerical rating systems for hiring. Agencies must, however, “follow the

There are, however, some legal requirements to which agencies must adhere when hiring attorneys. Agencies may not, among other things, make hiring decisions based on protected characteristics (e.g., race, sex, or national origin), nepotism, political affiliation, whistleblower activities, or other factors unrelated to the candidate’s ability to perform the work.\(^\text{18}\) Agencies also must “follow the [statutory] principle of veteran preference as far as administratively feasible and, on the request of a qualified and available preference eligible . . . [veteran or family member of a veteran who is not selected] . . . furnish him/her with the reasons for his/her nonselection.”\(^\text{19}\)

There are other legal requirements to which agencies must generally adhere when hiring 0905 attorneys. These include prohibiting hiring decisions based on protected characteristics (e.g., race, sex, and national origin), nepotism, political affiliation, whistleblower activities, and other non-merit considerations.\(^\text{20}\) They also include affording priority consideration to people who were separated or furloughed from the agency, without misconduct, due to a compensable injury\(^\text{21}\) and generally not hiring males born after 1959 who have not registered for the selective service.\(^\text{22}\)

\(^{18}\) See 5 U.S.C. § 2302. Among other restrictions on agencies’ hiring practices, agencies must not recruit in a way that results in an unlawful disparate impact based on race, sex, or certain other protected characteristics under federal law. See 42 U.S.C. § 2000e-2(k)(1)(A).

\(^{19}\) 5 C.F.R. § 302.101(c)(8).


\(^{21}\) Id. § 8151.

\(^{22}\) Id. § 3328.
Despite the less restrictive legal requirements for hiring 0905 attorneys, many agencies choose to follow 0905 attorney hiring practices that are not legally required, such as 

**Practices in Hiring Attorneys**

*Distinguishing Between Optional and Mandatory Hiring Practices*

Many agencies adopt additional hiring practices that are not legally required. They include involving HR officials in screening out applicants based on substantive criteria (e.g., nature of legal experience) and posting announcements exclusively on USAJobs without further disseminating them.\(^{23}\) Although some agencies undertake these practices knowing they are optional, in other agencies- adopt them because HR and hiring officials and selecting officials wrongly mistakenly believe these actions they are legally required.\(^{24}\) A possible reason for this confusion is that, in 1993, OPM stopped publishing the *Federal Personnel Manual*, a compendium of guidance that served as an easy reference guide for agencies; successor publications have taken the form of discrete handbooks and operating manuals and that are not published systematically updated regularly.

Because federal hiring law actually is quite flexible regarding the processes used to select 0905 attorneys, agencies- attract broad or discrete applicant pools.

**Agencies** may benefit from availing themselves of the flexibility the law affords them in hiring attorneys by using different practices in different situations. In certain circumstances, for example, Sometimes agencies may wish to attract broad applicant pools, whereas in others, they might have more discrete candidate pools (such as attorneys who used to work for the agency, former legal interns, presidential management fellows, or highly recommended candidates) under consideration. In such situations, agencies may not want to post or broadcast an announcement.


\(^{24}\) Id.
and it is generally permissible for them not to do so. However, when agencies want to have a
broad applicant pool, in which case they will typically benefit from posting an announcement in
locations likely to reach a large number of qualified potential optimal candidates. This may or
may not include USAJobs, which agencies generally need not use for excepted service hiring.
Although agencies candidates. Agencies that wish to do so may decide USAJobs is among to
post the best places to post an announcement, there is position on USAJobs. There is, however, a
monetary cost to posting on USAJobs, and posting an announcement solely on USAJobs without
further dissemination may be insufficient to not produce the optimal applicant pool. At other
times, agencies might wish to attract discrete candidate pools, consisting of, for example,
attorneys who previously worked for the agency, former legal interns, presidential management
fellows, or highly recommended candidates. This might be the case when, for example, an
agency requires a unique set of skills. In such cases, agencies may not want to post or broadcast
an announcement (which the law generally permits).

Regardless of whether Drafting Announcements

Whatever approach agencies decide to post on USAJobs or elsewhere, take, it is
important that their job announcements are effective recruiting tools only if they are written
clearly and in a way designed to welcome attract qualified applicants. Too often, however, attorney vacancy announcements contain dense, boilerplate language, and descriptions of job
responsibilities that are difficult to decipher, and warnings of jail time or fines for false
statements. It seems that this. This problem is caused at least in part by how HR employees
craft their vacancy can arise when hiring officials send announcements. (Agencies generally

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25 Recruitment “should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society,” 5 U.S.C. § 2301(b)(1), and must not result in an unlawful employment practice based on disparate impact, 42 U.S.C. § 2000e-2(k)(1)(A).
27 Recruitment “should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society,” 5 U.S.C. § 2301(b)(1).
28 For examples of such announcements, see Phillips & Rubin, supra note 17, at 28–30.
29 For examples of such announcements, see Phillips & Rubin, supra note 10, at 28–30.
have discretion concerning the language used in the announcement.) For example, a selecting official may be the one who drafts to HR after they draft the announcement but may then send it to HR for posting on USAJobs. As an HR employee is posting position’s description, Once HR employees receive the announcement on USAJobs, that employee may announcements, they sometimes insert inapplicable boilerplate language that does not apply to hiring attorneys (e.g., language, facilitated by USAStaffing (an applicable only to competitive service hiring). In addition, when HR employees post the announcement through an applicant tracking system created by OPM and accessible only to (that is, a system that allows government officials to post vacancy announcements and track applicants on USAJobs). The selecting official), the system automatically populates additional language inapplicable to the hiring of attorneys, which HR officials do not remove. Hiring officials might not realize that such inapplicable language was inserted until after the announcement has been posted. This Recommendation addresses this issue by encouraging selecting officials, if they send announcements to HR to post, to review the final versions of all vacancy announcements exactly as they will appear to the public before they are posted.

This Recommendation’s appendix offers an example of an attorney announcement that is written clearly and in a welcoming manner, which avoids the problems discussed above. Resources exist to assist agencies in using plain language, including Administrative Conference Recommendation 2017-3, Plain Language in Regulatory Drafting and the Federal Plain Language Guidelines.

Recruiting Interns and Using Honors Programs

Agencies’ recruitment efforts might include recruiting former interns to work as attorneys. Hiring these candidates allows agencies to employ those who have previously worked

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in the agency and have proved that they can successfully carry out the position’s responsibilities. Such hiring is akin to summer associate programs at some law firms, in which firms hire students to work for the summer after their second year of law school and then, after observing the students’ work, may offer them permanent employment upon graduation.

Agencies, however, cannot extend an offer of employment as an attorney to an applicant until after he or she has been admitted to a bar, which can take nearly a year or longer after graduation from law school. If an agency wishes to hire an applicant for an attorney position before he or she has been admitted to a bar, the agency must hire him or her as a “law clerk trainee” under Schedule A. The law clerk trainee position is a temporary excepted service appointment in which a candidate for an attorney position could serve while waiting to be admitted to a bar. The appointment can last only 14 months. OPM takes the position that the appointment procedures of 5 C.F.R. part 302 apply. The law clerk trainees serve under the supervision of licensed attorneys until they are admitted to a bar, at which time they may be appointed to attorney positions. This Recommendation suggests that agencies with honors programs encourage successful interns to apply to them and that agencies without honors programs nonetheless consider hiring successful interns as law

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\[1\] 5 C.F.R. § 213.3102(d).

\[2\] The appointment procedures of 5 C.F.R. part 302, although different from the competitive service’s appointment procedures, are still very detailed and complex. They require, among other things, that agencies adhere to a set of detailed procedures for according preference eligibles priority consideration. See, e.g., 5 C.F.R. § 302.304. They also require agencies to establish qualification standards for excepted service positions. See, e.g., id. § 302.202.

\[3\] 5 C.F.R. § 213.3102(d).
clerk trainees and then appoint them to 0905 attorneys upon admission to a bar before the end of 14 months.

Another facet of the hiring process is the use of the period before adverse action rights accrue to observe the appointee’s performance and determine whether to retain the appointee. After an individual is appointed to a 0905 position, the person must continuously serve for two years before he or she accrues adverse action rights (or one year, if the person is a preference eligible). During this period the attorney can be dismissed from federal service with minimal procedural protections. In the competitive service, there is a period called “the probationary period,” during which agencies are required “to determine the fitness of the employee and shall terminate his services . . . if he fails to demonstrate fully his qualifications for continued employment.” The preliminary period during which 0905 appointees serve before they become “employees” with adverse action rights may be used for the same purpose. This Recommendation encourages agency HR officials to send reminders to supervisors when this period will soon be ending, and encourages supervisors to make a considered decision whether to retain the employee while the ability to do so without additional procedures is still available.

The Administrative Conference recognizes that agencies filling

Accruing Merit Systems Protection Board (MSPB) Rights

Once an attorney is hired, he or she must continuously serve for two years (or one year, if the person is a veteran or a family member of a veteran) before accruing the right to challenge a termination before the MSPB. Supervisors may evaluate the appointee’s performance during this period and decide whether to retain the appointee.

36 5 C.F.R. § 315.803.
38 See 5 U.S.C. § 7511. There is a similar period in the competitive service called the “probationary period,” which generally lasts for one year, during which agencies “shall . . . determine the fitness of the employee and shall terminate his services . . . if he fails to demonstrate fully his qualifications for continued employment.” 5 C.F.R. § 315.803.
Hiring Procedures for Non-ALJ Adjudicators

The Administrative Conference recognizes that specific attorney positions may require additional criteria, procedures to screen for certain attributes. One such position is important.

An example arises when an attorney hired as a non-ALJ agency hires an adjudicator. As discussed above, the Administrative Conference addressed the hiring of ALJs in Recommendation 2019-2. At the very least, like ALJs, attorneys hired as non other than an administrative law judge (ALJ).

Non-ALJ adjudicators, like ALJs, must demonstrate an ability to discharge the duties of an adjudicator with impartiality. There may be additional criteria, procedures agencies need to apply/adopt to screen for this quality attribute and others specific to attorneys hired as non-ALJ adjudicators.

The paragraphs below are all intended to apply specifically to 0905 attorney positions, even when this limitation is not specifically noted.

RECOMMENDATION

Ensuring Agencies Know Which Procedures Are Required and Which Are Optional for Hiring 0905 Attorneys

1. The Office of Personnel Management (OPM), in conjunction with the Merit Systems Protection Board (MSPB) and the Office of Special Counsel as necessary, should provide training for agencies on the minimum procedural requirements in statutes, regulations, and executive orders for hiring 0905 attorneys. That training should, in particular, clarify the distinction between excepted service hiring for attorneys and other hiring and would other kinds of employees and explain the alternative processes and flexibilities available.

to such positions, for hiring attorneys. Such training could take any number of forms, including providing written materials and in-person presentations or webinars.

Helping Agencies Recruit Qualified Applicants for 0905 Attorney Positions

2. When hiring 0905 attorneys, agencies should recognize that they have flexibility in recruiting. They may exercise broad or targeted recruitment strategies designed to reach either a broad or narrow pool of applicants as they deem appropriate.

3. When seeking broad applicant pools for 0905 attorney positions, agencies are encouraged to post vacancy announcements in multiple locations where they are likely to reach qualified applicants. Options for posting include agencies’ own websites, job recruiting websites, or USAJobs.gov, the federal hiring portal. In addition to publicly posting announcements, agencies should widely disseminate such announcements to a variety of sources, such as bar associations, other professional legal associations, law school career offices, non-profit organizations, professional listservs, former and current agency employees and interns, other agencies, and other professional networks.

4. If seeking narrower applicant pools, agencies have smaller groups of potential candidates under consideration, they may choose not to post announcements at all or otherwise advertise the announcements widely.

Drafting Vacancy Announcements for 0905 Attorney Positions

5. Agencies should ensure that selecting officials (i.e., those agency officials who make the ultimate hiring decision) draft and review vacancy announcements for 0905 attorney positions.

6. Announcements for 0905 attorney vacancies—Attorney vacancy announcements should be written in plain language, adhering closely to the principles from Administrative Conference Recommendation 2017-3, Plain Language in Regulatory Drafting, and the Federal Plain Writing Guidelines.
7. Announcements should specify exactly and clearly which documents are required to constitute a complete application; distinguish between mandatory and desirable criteria; and include under mandatory criteria only essential elements, such as bar membership and citizenship status, as applicable.

8. Announcements should not contain inapplicable boilerplate language, such as that is applicable only to competitive service rules positions or that do not apply is otherwise inapplicable to 0905 attorney positions.

9. If agencies intend not to limit consider additional applications after receiving a certain number, the announcement should say so and specify what the limit is.

10. Agencies should recognize that they have the option of requiring a conventional résumé from applicants instead of requiring the applicants to create a USAJobs résumé. Agencies that want to require a conventional résumé should state this clearly in the vacancy announcement.

11. If, after drafting a vacancy announcement, selecting hiring officials send the announcement to human resources (HR) officials to be posted on USAJobs or elsewhere, selecting-hiring officials should ask collaborate with HR officials to see review and approve the final version of the announcement exactly as it will appear to the public. Selecting-Hiring officials should then carefully review the announcement to ensure that it is consistent with Paragraphs 6 through 9-10 before it is posted.

12. Selecting-Hiring officials should continue to review open-ended or long-term vacancy announcements to ensure they do not become outdated.

13. When feasible, agencies should ensure applicants are notified that their applications have been received and if they were not selected.

Improving USAStaffing for 0905 Attorney Positions OPM’s Applicant Tracking System

14. OPM should include a notice on USAStaffing (a commonly used applicant tracking system that is, the system that allows agencies to post announcements on USAJobs and track applications) that encourages agencies to specify exactly and clearly which documents are required to constitute a complete application; distinguish between
mandatory and desirable criteria; and include under mandatory criteria only essential elements, such as bar membership and citizenship status, as specified in Paragraph 7.

15. Wherever boilerplate language relating to competitive service hiring practices appears in USAStaffing, OPM should make clear clearly inform agencies that it does not apply any language inapplicable to attorney hiring; and that automatically populates in its tracking system should be excluded from attorney vacancy announcements.

16. OPM should include a link on USAStaffing its applicant tracking system to the Plain Language Guidelines and to Administrative Conference Recommendation 2017-3, Plain Language in Regulatory Drafting, and encourage agencies to apply all relevant provisions of them to their drafting of vacancy announcements, as specified in Paragraph 6.

17. OPM should make clear in the instructions for USAStaffing its applicant tracking system that agencies have the option of requiring applicants to submit a conventional résumé instead of the resume a résumé generated by USAJobs.

Evaluating Applicants for Attorney Positions

18. Agencies should develop policies or processes covering how attorney applications will be reviewed and assessed. These policies or processes may include creating teams to select applicants for interviews or recommend applicants for appointment.

19. Agency leadership should decide which responsibilities HR officials should have in the process of evaluating applications. If HR officials will screen applicants, selecting officials should determine the screening criteria and clearly communicate to the screeners.

Evaluating Attorneys During The Period Before Adverse Action Rights Accrue

19. If feasible, agencies should ensure applicants are notified when their applications have been received and when the agency has made a hiring decision.
20. Supervisors should be aware of the length of the period during which most, but not all, newly hired attorneys (for most, but not all, accrue the right to challenge termination before the MSPB after two years) may be removed without affording them adverse action rights. Supervisors should evaluate attorneys during this period. HR officials should send reminders to supervisors approximately three to six months before the end of this period informing the supervisors that the period will soon end. Before the end of this period, supervisors should decide or make a recommendation about whether attorneys should be retained before this period elapses. The decision should be made in sufficient time to take such rights accrue for any necessary action before the given attorney attains tenured employment with adverse action rights.

Using Law Clerk Trainee Positions and Honors Programs to Hire Attorneys

21. Agencies with honors programs should encourage successful interns to apply to them. Agencies without honors programs should consider hiring high-performing legal interns after graduation but before they have been admitted to a bar, using the authority to hire a law clerk trainee who can be appointed to an attorney position upon admission to a bar, assuming the agency wishes to do so. Agencies should note that OPM takes the position that 5 C.F.R. part 302 procedures will apply.

Ensuring Impartiality of Attorneys Hired as Non-Administrative Law Judge (ALJ) Adjudicators

22. Agencies’ guidelines and procedures for the hiring of attorneys who will act as non-ALJ adjudicators should be designed and administered to ensure that those hired will both carry out the functions of the office with impartiality and maintain the appearance of impartiality, as suggested in Recommendation 2018-4, Recusal Rules for Administrative Adjudicators.
APPENDIX

As indicated above in the preamble at page 6, below The following is an example of an attorney job announcement that is written clearly and in a welcoming manner in a way that is consistent with this Recommendation.
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF GENERAL COUNSEL
GENERAL ATTORNEY

Full-time, Permanent, GS-12/15 (Excepted Service)

The Office of Management and Budget (OMB) Office of General Counsel (OGC) is pleased to invite talented and enthusiastic attorneys to apply for a position in our office to serve as the lead attorney for matters involving the Office of the Federal Chief Information Officer (OFCIO) and the United States Digital Service (USDS). A successful candidate will have at least three years of focused experience with information technology laws and government contracting.

This position is a permanent position with a promotion potential to GS-15.

What Do We Do?

OMB OGC attorneys enjoy dynamic, exciting and fast-paced work, which includes regularly meeting with and advising staff and policy officials in the White House, OMB, and other agencies outside the Executive Office of the President (EOP).

OMB OGC provides legal advice and assistance on a full range of government-wide and agency-specific matters, including litigation matters and other consultation with the Department of Justice’s litigation divisions and the Office of Legal Counsel. OMB OGC’s practice spans the breadth of Federal practice, including novel and complex legal issues related to high-profile actions and important ethics law questions, legislative proposals, budget and appropriations, procurement policy, grants policy, financial management policy, cybersecurity, national security, trade policy, information technology, privacy, and litigation matters. The office also works on in-house legal matters, including personnel, compliance, ethics, and the Freedom of Information Act.

Position Summary

The attorney in this position will counsel OMB leadership, managers, and staff at all levels across OMB regarding a broad range of matters, including the Federal Information Systems Management Act (FISMA), the Federal Information Technology Reform Act (FITARA), and the Privacy Act, among others. The portfolio includes reviewing policy proposals for legality, soundness, advisability; legislative, fiscal, and programmatic implications; and overall effect on the operation of the Executive Branch.

The successful candidate will have experience in government procurement of information technology and software, including R&D contracts and those for sustainment and maintenance. He/she will also have knowledge of intellectual property licensing and data rights in government contracts, and a strong understanding of emerging issues in government contracting, IT procurement, and software development. A degree in computer science or other technical subject matter is desirable.

The successful candidate must be energetic, creative, and enjoy challenging and interesting legal challenges, and have the ability to work harmoniously with diverse groups of individuals.