



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

| <u>TITLE</u> | <u>GRADE</u> | <u>EEO-4</u> | <u>CODE</u> |
|------------------------|--------------|--------------|--------------|
| DUI ADJUDICATOR | 34 | B | 7.690 |

Under limited supervision, DUI Adjudicators hear and decide contested revocations of driving privilege license or permit resulting from arrests for driving under the influence (DUI) of an alcoholic beverage or a controlled substance; hear and evaluate issues of the petitioner’s case, weighing the validity of the issues and the evidence presented at the hearing and interpreting departmental regulations and laws applicable to the issues.

Conduct pre-hearing case file reviews before hearings, ensuring all pertinent documents, revocation notice, officer’s certification of cause, test results, and hearing notice are included and correct; identify the issue of the petitioner’s case and ensure appropriate subpoenas are issued.

Research the basis of the agency and petitioner’s legal positions using applicable statutes, regulations and case law to analyze and weigh the validity of information and evidence presented at hearings.

Conduct administrative hearings on behalf of the agency to ensure the petitioner’s rights of due process are met in accordance with statutes governing the administrative hearing process and driving under the influence; receive testimony and evidence from both the agency and petitioner.

Issue final decisions to the agency and petitioner to either affirm the revocation of the petitioner’s driving privilege or rescind the revocation order; prepare written decisions taking into consideration appropriate testimony, evidence, statutes and regulations.

Set and/or update broad guidelines for the establishment of case format, caseload management, and hearing procedures to ensure the hearing process adheres to existing law and agency regulations.

Discuss decisions, hearings, and written reviews with the supervisor when problems are identified, post-hearing complaints are filed, or decision content and the legal basis of decisions are questioned.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

SPECIAL REQUIREMENTS:

- * Some positions require statewide travel.
- * A valid driver’s license or evidence of equivalent mobility is required at the time of appointment and as a condition of continuing employment.

EDUCATION AND EXPERIENCE: Graduation from a two-year accredited paralegal program and two years of experience researching, preparing and documenting cases related to administrative hearings including preparation of pleadings and other documents filed in court; **OR** an equivalent combination of education and experience as described above. *(See Special Requirements)*

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):
Working knowledge of: laws, legal and court procedures, and the democratic political process; NRS 50, 51, 483

MINIMUM QUALIFICATIONS (cont'd)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application): (cont'd)
and 484 concerning the revocation of driving privileges on the grounds of DUI; conducting pre-hearing case file review; administrative hearing procedures; legal concept of due process as needed for conducting hearings; necessary elements in making final orders of determination. **Ability to:** make accountable decisions as applied to issuing final decisions; set and update guidelines; communicate effectively both verbally and in writing; analyze and determine validity of factual or empirical information; determine credibility of witnesses. **Skill in:** computer use and programs; use of court recording equipment; performing detailed legal research.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):
Working knowledge of: agency policies and procedures; pertinent case law applied to DUI cases; NRS 233B, the Nevada Administrative Procedures Act; determine crucial and ultimate findings of fact and conclusions of law; issue final decisions based on pertinent statutes, case facts, testimony, and legal precedent.

This class specification is used for classification, recruitment, and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

7.690

ESTABLISHED: 8/28/03R
9/19/03PC
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