



U.S. Department of Justice

Civil Rights Division


Office of the Assistant Attorney General

Washington, D.C. 20530

JUN 14 2010

MEMORANDUM

To: Civil Rights Division Employees

From: Thomas E. Perez   
Assistant Attorney General

Subject: Civil Rights Division Attorney Manager Hiring Process

The following process is used to fill vacant or newly created career attorney manager positions in the Civil Rights Division:<sup>1</sup>

1. ADVERTISING VACANCIES:

Vacancy announcements for all vacant or newly created attorney manager positions will be posted on the Division's intranet ([http://mycrt/human\\_resources/employment/vacancies.php](http://mycrt/human_resources/employment/vacancies.php)), the Department of Justice's intranet and internet (<http://www.usdoj.gov/crt/recruit.php> and <http://www.usdoj.gov/oarm/attvacancies.html>), and the Office of Personnel Management's website (<http://www.usajobs.opm.gov>).

Announcements are also distributed by the Office of Attorney Recruitment and Management (OARM) and/or by the Division's Human Resources Office (HR) to a broad and diverse array of organizations, including but not limited to bar associations, law schools and professional organizations. Sections may also distribute announcements to additional organizations who may know of qualified candidates for a particular vacancy announcement.

Announcements for attorney management and/or supervisor positions will be open for a minimum of three (3) weeks with specific opening and closing dates, list the minimum qualifications and, in some cases, the preferred qualifications, for the position.

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<sup>1</sup> "Attorney manager" positions include career Deputy Chief, Special Counsel and comparable positions that involve management responsibility. The process also may be used for non-attorney career Deputy Chief positions. This process does not apply to non-management supervisory attorney positions or Senior Executive Service (SES) positions, or to reassignments or details of SES employees.

The Division does not accept unsolicited resumes or applications (i.e., those that are not in response to a particular vacancy announcement) for experienced attorney positions.

2. **APPLICATION PROCESS:**

Applicants must submit a resume, cover letter highlighting experience relevant to the qualifications identified in the vacancy announcement, and any other information requested in the vacancy announcement. Specific instructions regarding how to submit application materials will be set forth in the vacancy announcement. All applicants will receive a full and fair review.

3. **INTERVIEW AND SELECTION PROCESS:**

The Section Chief and/or his/her designated attorney manager(s), in consultation with the Office of the Assistant Attorney General's (OAAG) career staff designee(s) and the OAAG's designee(s) reviewing the section (hereinafter, collectively, the "OAAG designees"), will review the applications relative to the qualifications set forth in the vacancy announcement and decide which applicants will be interviewed.

The applicants selected for interviews will be interviewed first at the section level by the Section Chief and, in the Chief's discretion, his/her designated attorney manager(s) and/or the OAAG designees. For one attorney manager vacancy, the Section Chief will make a recommendation to the OAAG of three or more qualified applicants who should be given further consideration unless the size/qualifications of the applicant pool makes recommending three applicants impracticable. For multiple attorney manager vacancies, the Section Chief will make a recommendation to the OAAG of a sufficient number of qualified applicants who should be given further consideration such that the OAAG has a meaningful choice. The OAAG designees may interview the recommended applicants, as well as, any of the other applicants who were selected for initial interview by the Section Chief. The second interviews will be conducted by the OAAG designees and the Section Chief; the Assistant Attorney General (AAG), in consultation with the Section Chief and OAAG designees, may choose to participate in the second round interviews.

Following the interviews, the Section Chief and the OAAG designees will consult regarding the applicants and make a joint hiring recommendation, prepared by the Section Chief, to the AAG for review and approval. In the event that the Section Chief and the OAAG designees do not reach consensus on the recommendation, the Section Chief will reflect that in his/her hiring recommendation. The AAG may choose to interview the applicant(s) recommended for hire, particularly where the AAG did not participate in the second round interviews. If the AAG interviews the applicant(s) recommended for hire, he/she also may interview any of the applicants who were selected for initial interview by the Section Chief.

A decision by the AAG or his/her designee not to accept the Section Chief's recommended applicant(s) must be made in writing.

4. **OFFERS OF EMPLOYMENT:**

All offers of employment must be made within the time frames set by OARM and/or the Office of Personnel Management (OPM), and are conditional and subject to the conditions set forth in the vacancy announcement, including successful completion of a background investigation, security clearance (if applicable) and drug testing, as well as to checks of references and/or current and prior employers.

5. **STARTING SALARIES:**

The starting salary for external applicants is based on a number of factors, including the attorney's substantive legal experience and skills, and whether the attorney is currently employed outside the federal government, employed by the federal government, or unemployed. Additional salary information may be found on OARM's website at <http://www.usdoj.gov/oarm/arm/hp/hpsalary.htm>.

6. **DESIGNATION OF ACTING ATTORNEY MANAGERS:**

A vacant attorney manager position may be filled on a temporary acting basis. Acting designations are for no longer than 120 days, and may be extended under limited circumstances.

If a Section Chief position is vacant or the Section Chief will be absent from his/her position for an extended period of time, the AAG will designate an Acting Section Chief. If a Section Chief is absent from his/her position for a short period of time (e.g., vacation or short-term sick leave), the Section Chief will appoint an Acting Chief.

The Section Chief, in consultation with the AAG or his/her designee(s), will designate other acting attorney managers as needed.

7. **DESIGNATION OF PRINCIPAL DEPUTY CHIEF:**

With OAAG approval, a Section may have a Principal Deputy Chief. The Section Chief, in consultation with the OAAG, may designate a Principal Deputy Chief.

8. **NON-DISCRIMINATION & VETERANS' PREFERENCE:**

The Civil Rights Division is an equal opportunity / reasonable accommodation employer, and all qualified candidates are welcome to apply. All hiring is based on merit; consistent with applicable federal law and Department of Justice policies, discrimination based on race, color, national origin, gender, age, political affiliation (including using ideological affiliation as a proxy for determining political affiliation), religion, disability, marital status, sexual orientation, gender identity, genetic information, status as a parent, membership or non-membership in an employee organization, or personal favoritism is strictly prohibited.

Complaints about discrimination and/or prohibited personnel practices may be raised within the Division by contacting Linda Johnson, the Division's Human Resources Officer, at 202-514-4224, or Diana Embrey, the Division's employment counsel, at 202-353-2510, or outside the Division by contacting the Department's Equal Employment Opportunity Staff at 202-616-4800, or the Office of Special Counsel at [www.osc.gov](http://www.osc.gov) or 800-872-9885.

There is no formal rating system for applying veterans' preference to attorney appointments in the excepted service; however, DOJ considers veterans' preference eligibility as a positive factor in attorney hiring. In attorney vacancy announcements, applicants eligible for veterans' preference are encouraged to include that information in their cover letter or resume and attach supporting documentation (e.g., the DD 214 or other substantiating documents) to their submissions.

This policy statement applies to vacancy announcements closing after June 1, 2010 and supersedes prior statements, if any, on the same topic.