

## **Practicing Law in the Office of the Legal Adviser**

The Office of the Legal Adviser furnishes advice on all legal issues, domestic and international, arising in the course of the Department's work. This includes assisting Department principals and policy officers in formulating and implementing the foreign policies of the U.S., and promoting the adherence to, and development of, international law and its institutions as a fundamental element of those policies.

Attorneys in the Office are at the forefront of the important international issues faced by our country, whether they are working to respond to humanitarian crises, to prevent human rights abuses, to promote international trade and resolve international disputes, to create a more livable world or to help foster peace and security. They work directly with high-level U.S. and foreign officials, the Congress and the White House staff. While almost all of the Office's attorneys are based in Washington, their work may require them to travel overseas on a "temporary duty" basis to most anywhere in the world for bilateral and multilateral negotiations, dispute resolution efforts or an unlimited range of other diplomatic missions.

Attorneys negotiate, draft and interpret international agreements involving a wide range of matters, such as peace initiatives, arms control discussions, trade-liberalization agreements, international commodity agreements, consular conventions and private law conventions on subjects like judicial cooperation and recognition of foreign judgments. They also work with Department officials on legislative initiatives and draft and interpret domestic statutes, Departmental regulations, Executive Orders and other legal documents. They represent or assist in representing the U.S. in meetings of international organizations and conferences and many U.N. programs and represent the U.S. before international tribunals such as the International Court of Justice and the Iran-U.S. Claims Tribunal, as well as in international arbitrations. The attorneys work closely with the Department of Justice in litigation in the U.S. and foreign countries affecting the Department's interests and, in addition, have had increasing opportunities to represent the Department in domestic courts and administrative courts before the Foreign Service Grievance Board, the Merit Systems Protection Board, the Equal Opportunity Employment Commission and in contract disputes, Boards of Contract Appeals.

The Office is comprised of approximately 200 permanent attorneys and about 100 support staff, including paralegal specialists, treaty analysts, secretaries and general administrative personnel. Although all are stationed in Washington, D.C., attorneys from the Office also fill the Legal Counsel and Deputy attorney positions at U.S. Missions in Geneva and The Hague, and the Legal Counsel positions at U.S. Missions to the European Union in Brussels and the United Nations in New York. On occasion, the office provides attorneys for other overseas posts.

### **ORGANIZATION AND FUNCTIONS**

The Office is organized into sections that roughly correspond with the Department of State's various bureaus, including regional offices that focus on specific areas of the world and functional offices that deal with specific subject matters such as: Human Rights and Refugees; Political and Military Affairs; Economics and Business Affairs; Oceans, International Environmental and Scientific Affairs; Legislation and Foreign Assistance or Management. Accordingly, the Office of the Legal Adviser is divided into twenty-three sections, in addition to the offices at The Hague, Geneva, Brussels, and New York. Attorneys' preferences for "rotation" are requested after they have served approximately two years in an assignment; attorneys typically rotate assignments within the Office every two or three years to broaden their experience and take on new challenges.

The Legal Adviser holds a rank equivalent to that of Assistant Secretary of State and reports directly to the Secretary of State. Four Deputy Legal Advisers collectively supervise Assistant Legal Advisers, who manage the individual regional and functional offices described below.

## **REGIONAL OFFICES**

The Department's regional bureaus oversee the U.S. embassies and consulates and coordinate U.S. foreign relations in their respective geographic areas. Assistant Legal Advisers supervise the attorneys who support those bureaus, dealing with such matters as protection of U.S. citizens and investments, problems in diplomatic and consular relations, interpretation and negotiation of treaties, military base rights and status of force issues, peaceful settlement of disputes, and trade matters. Among the issues and the activities which draw on the Offices' legal staff in the various regions are the following:

**Office of African and Near Eastern Affairs (L/AN):** Support for the Middle East peace process; the Multinational Force and Observers and U.N. peacekeeping forces; international terrorism; litigation in U.S. courts involving countries and officials in the region; relations with the governments of Africa and regional and sub-regional organizations; conflict resolution and peace agreements; armed conflict and related U.N. Security Council actions; border questions; military facility and status of forces agreements; U.S. cooperation in developing legal and political institutions in the region; International Criminal Tribunal for Rwanda and the Special Court for Sierra Leone; and restrictions on assistance to or conducting business with certain countries in the region.

**Office of Afghanistan, Pakistan, South and Central Asian Affairs (L/ASCA):** U.S. military presence in Afghanistan, civilian-military cooperation in Afghanistan and Pakistan, reintegration and reconciliation, bilateral Strategic Partnerships, war crimes accountability and human rights issues, annual bilateral consultations with Kyrgyzstan, Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan, the northern Distribution Network, the Durand Line, and the Indus Waters Treaty.

**Office of East Asia and Pacific Affairs (L/EAP):** U.S. commitments in East Asia and the Pacific, including U.S. bilateral defense treaties and the Compacts of Free Association; legal issues related to the U.S. military presence in Australia, Japan, Korea, and the Philippines; relations with the People's Republic of China (including a high-level Legal Experts Dialogue on human rights and the rule of law); commercial, cultural and other nongovernmental relations with Taiwan; legal issues related to U.S. policy toward Cambodia, Myanmar/Burma and Vietnam; Six Party Talks and related initiatives involving North Korea and the peaceful denuclearization of the Korean Peninsula; support for the peaceful management of territorial and maritime disputes in the South China Sea and the East China Sea in accordance with international law; and support for U.S. regional diplomacy in East Asia and Pacific, including ASEAN, APEC, and the Pacific Island Forum.

**Office of European Affairs (L/EUR):** The European Union; Organization for Security and Cooperation in Europe (OSCE); the NATO alliance and defense cooperation issues; democratization and assistance to Eastern Europe and the successor states to the former Soviet Union; and bilateral issues with countries in the region.

**Office of Western Hemisphere Affairs (L/WHA):** Relations with the governments of Canada, Latin America, Central America and the Caribbean; issues concerning U.S. participation in the Organization of American States; Cuba, including assets control, U.S. rights at Guantanamo, Helms-Burton Act issues; illegal migration and refugee issues; Haiti, in particular, foreign assistance issues; and domestic and international litigation relating to U.S. activities in the region.

## **FUNCTIONAL OFFICES**

The Office of the Legal Adviser also supports the various functional bureaus of the Department which have crosscutting, worldwide responsibilities for specific program areas. A representative description of the functional offices is set forth below:

**Office of Buildings and Acquisitions (L/BA):** Provides legal advice and representation in the solicitation, award and administration of Federal acquisition contracts; the acquisition and

development of real property abroad; the negotiation and litigation of contract disputes; the defense of bid protests at the General Accounting Office; the management of Government property domestically and abroad; the drafting and interpretation of Federal acquisition laws, regulations and policies; the oversight and administration of employee associations at posts abroad; grant and cooperative agreement law, regulations, policies and administration.

**Office of Consular Affairs (L/CA):** Provides legal advice and representation relating to the performance of consular functions by the Department of State. These functions include: adjudication and revocation of visas and passports; the protection of U.S. nationals and their property abroad; loss or acquisition of U.S. nationality; passport, visa and terrorism-related information sharing; international children's issues; enforcement and administration of immigration laws. L/CA's roles include negotiation and implementation of international agreements on consular relations, information sharing and prisoner transfers; working on proposed immigration-related legislation; drafting Department regulations and guidance; participating in interagency initiatives; interpreting U.S. law and obligations under international agreements; assisting the Department of Justice in litigation related to the Department's consular functions; and promoting compliance by law enforcement officials with U.S. obligations under the Vienna Convention on Consular Relations and other consular agreements.

**Office of Diplomatic Law and Litigation (L/DL):** Provides legal advice for the interpretation and application of international agreements and domestic statutes pertaining to U.S. and foreign diplomatic and consular missions and personnel, including the Vienna Convention on Consular Relations, the Diplomatic Relations Act and the Foreign Missions Act; legal issues relating to head of state immunity; legal issues relating to immunity of foreign states in the U.S., including interpretation and application of the Foreign Sovereign Immunities Act; legal issues relating to immunity of the U.S. Government and its personnel in litigation abroad; and legal issues relating to the status of international organizations, including the U.N.

**Office of Economic and Business Affairs (L/EB):** Provides legal advice and support in international negotiations, development of U.S. policy, and the application of U.S. and international law with respect to international economic agreements (including investment, international telecommunications, civil aviation, and trade agreements), imposition of economic sanctions and foreign policy export controls, and other international financial and business issues, such as the extraterritorial application of U.S. laws, foreign debt, antitrust, and the protection of intellectual property.

**Office of Employment Law (L/EMP):** Provides legal advice and services to the Director General of the Foreign Service and the Director of Human Resources, in addition to those involved in the management of the Department's human resources and labor relations; conducts hearings before EEOC, MSPB, Foreign Service Grievance Board and supports personnel litigation in Federal courts.

**Office of Ethics and Financial Disclosure (L/EFD):** Advises on the Ethics in Government Act of 1978, the Hatch Act, and other applicable laws, Executive Orders and regulations; and directs the financial disclosure reporting program.

**Office of Human Rights and Refugees (L/HRR):** Provides legal advice and support to the Bureau of Population, Refugees and Migration and the Bureau of Democracy, Human Rights and Labor. Leads U.S. delegations in multilateral negotiations of human rights instruments. Acts as counsel to U.S. delegations and participates in negotiations at the U.N., the Organization of American States, the Organization for Security and Cooperation in Europe and elsewhere on matters relating to human rights and refugees. Defends U.S. laws and practices in response to a variety of U.N., OAS, and OSCE human rights complaint mechanisms, and coordinates U.S. reporting to treaty bodies on U.S. implementation of human rights treaty obligations. Provides legal advice and support

throughout the Department on asylum and refugee law, and human rights issues ranging from torture, genocide, and arbitrary detention to freedom of movement, assembly and expression.

**Office of International Claims and Investment Disputes (L/CID):**

Provides general legal advice and representation with respect to all aspects of international claims and investment disputes, including claims under international law by U.S. nationals against foreign governments and by and against the U.S.; claims relating to expropriation and other property and investment disputes, denial of justice, wrongful death and personal injury and espousal of claims. Negotiates lump sum settlements with foreign governments, and represents the U.S. before international dispute settlement bodies, particularly the Iran-U.S. Claims Tribunal in The Hague, the U.N. Compensation Commission in Geneva, arbitral tribunals under Chapter 11 of NAFTA and other international, arbitral bodies. Covers issues from inception through settlement, including questions of domestic and international law, standards of compensation, and promotion of international dispute settlement machinery.

**Office of Law Enforcement and Intelligence (L/LEI):** Coordinates international extradition and promotes mutual legal assistance in criminal and other law enforcement matters; negotiates treaties; manages the international extradition caseload; coordinates U.S. and foreign criminal proceedings with foreign policy implications; assists U.S. federal and state law enforcement agencies with investigations in foreign countries; advises on proposed legislative initiatives and international agreements on anti-terrorism, narcotics matters, and other law enforcement issues; coordinates the legal/foreign aspects of illicit payments by U.S. firms; and advises on U.S. intelligence activities.

**Office of Legislation and Foreign Assistance (L/LFA):** Provides legal advice on legislation affecting the Department, including Department appropriations and authorization legislation dealing both with Department operations and foreign assistance; works with other agencies and with Congress on legislative initiatives of interest to the Department; advises on implementation of foreign assistance programs, including legal requirements related to termination of foreign assistance and implementation of sanctions.

**Office of Management (L/M):** Provides legal advice on questions affecting the fiscal, management, and operational activities of the Department, including: appropriations, authorizations, and other relevant legislation; appropriations law and budgetary and financial issues; personnel, diplomatic and information security and related investigations; eGovernment and computer security; administrative law and Department rule-making and directives; federal records management and information law, including terrorism and other information-sharing with domestic and foreign governments and private persons, classified information, the Privacy Act and the Freedom of Information Act; travel and allowances; crisis and contingency planning; and Chief of Mission and other relevant Department authorities.

**Office of Nonproliferation and Arms Control (L/NPA):** Provides legal advice and support to the Bureau of International Security and Nonproliferation (ISN) and the Bureau of Verification, Compliance, and Implementation (VCI). Addresses legal issues arising in negotiating, implementing and verifying compliance with a wide range of bilateral and multilateral agreements, including: the Strategic Arms Reduction Treaties (START 1 and II); the Nuclear Nonproliferation Treaty; the Biological and Chemical Weapons Conventions; and the Conventional Forces in Europe (CFE) Treaty. L/NPA has been directly involved in: implementing Libya's renunciation of WMD; efforts to persuade North Korea to give up its nuclear and missile programs; actions regarding Iran at the IAEA and U.N.; implementing the U.S.-India nuclear cooperation initiative; dismantling the A.O. Khan nuclear black market network and Iraq's residual nuclear and missile programs; and helping Russia dispose of and protect its nuclear inventory.

**Office of Oceans, International Environmental and Scientific Affairs (L/OES):** Provides legal advice on matters relating to development, negotiation and application of international and domestic

law relating to oceans, including law of the sea, maritime boundaries, maritime drug interdiction, navigation and over flight freedoms; environment and conservation, including marine pollution, transboundary air pollution, biodiversity, ozone depletion, biotechnology, desertification, trade and environment, environmental impact assessment, endangered species, liability for environmental damage; scientific and technological affairs, including technology transfer and intellectual property rights; outer space, including the Space Station agreements; and polar affairs, including all matters related to the Antarctic Treaty system.

**Office of Political-Military Affairs (L/PM):** Provides legal assistance in matters relating to global military and political-military activities, base rights and status of forces agreements; foreign military claims and suits against U.S. Armed Forces; munitions control; use of force and war powers; and laws of war.

**Office of Private International Law (L/PIL):** Deals with the development and implementation of treaties and other international efforts to unify and harmonize private law, including U.S. participation in multilateral organizations and bilateral negotiations; coordinates the Secretary of State's Advisory Committee on Private International Law and its specialized study groups on inter alia international business transactions, arbitration, trusts, international child abduction and inter-country adoption, international negotiable instruments and the liability of operators of transport terminals.

**Office of Public Diplomacy and Public Affairs (L/PD):** Provides legal advice on international educational and cultural exchanges conducted pursuant to the Fulbright-Hays Act and other similar legislation, as well as on the Exchange Visitor Program and the use of the J visa; drafts and negotiates international exchange agreements. Provides legal advice on international information programs conducted pursuant to the Smith-Mundt Act, in particular on the dissemination abroad of information about the U.S., its people and policies; and on public affairs matters domestically. Counsels on matters pertaining to the protection of the cultural patrimony of other countries in jeopardy of pillage, and assists with the drafting and negotiation of bilateral cultural property agreements; counsels on requests for immunity from judicial seizure with respect to foreign art objects imported for temporary exhibition in the U.S. Handles residual problems of World War II involving certain Holocaust era assets.

**Office of Treaty Affairs (L/T):** Advises the Department and other U.S. government agencies on all aspects of treaty law and practice, as well as provides guidance and assistance in the authorization, drafting, negotiation, application, and interpretation of international agreements. Oversees compliance with the Circular 175 procedure by which the Secretary of State authorizes the negotiation and conclusion of U.S. international agreements. Reviews the transmittal of treaties to the Senate for advice and consent to ratification. Responsible for registering international agreements with the U.N. and serving as depositary for numerous multilateral treaties.

**Office of United Nations Affairs (L/UNA):** Provides legal advice on matters related to the U.S. participation in the U.N., its specialized agencies and other international organizations; international criminal tribunals; U.N. consideration of specific situations; international peacekeeping; multilateral sanctions; the use of force; peaceful settlement of international disputes; matters concerning the International Court of Justice and problems arising out of the presence of the U.N. and other international organizations in the U.S.

## **EMPLOYMENT PROCEDURES**

Competition for attorney positions in the Office is intense. Approximately 13 to 15 of the nearly 1,000 applicants for permanent employment each year are selected. New hires are drawn from third-year law

students, judicial clerks, and practicing attorneys from other Federal agencies and the private sector. The office also hires approximately twelve summer interns, as well as 20 to 25 externs annually under the work-study program (see below). Outstanding academic performance, analytical ability, writing skills, special honors, or achievements, professional experience, publications, and relevant extracurricular activities are important considerations in all selections. International legal training or experience and knowledge of a foreign language are not mandatory. The Office encourages applications from persons with an interest or experience in general government work.

The Office is committed to fostering a diverse and representative workforce and encourages women and minorities to apply. Excepted service attorney positions within the Office of the Legal Adviser are wholly exempted from the appointment procedures of 5 C.F.R. Part 302; however, the Office follows the principle of veterans' preference in its attorney hiring procedures as far as administratively feasible, and treats veterans' preference as a positive factor at all stages in the hiring process. The Office complies with all applicable federal non-discrimination laws.

## **HOW TO APPLY**

Applicants must submit a comprehensive resume that includes information about their educational background and scholastic standing, academic and other honors, professional experience, other government or military experience, publications, and other relevant attributes such as language skills. **A copy of the applicant's law school transcript and a list of three academic or professional references must accompany the application; a cover letter is also welcome.**

Please submit applications on line to [legaljobs@state.gov](mailto:legaljobs@state.gov), or fax to 202-485-8650.

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## **APPLICATION DEADLINE**

- **Third-year students: September 1 of 3<sup>rd</sup> year**
- **Judicial Clerks: Applications are accepted on a rolling basis. However, recommend as early in the fall as possible but no earlier than 12 months before end of Clerkship**
- **Laterals: Open**
- **Summer Interns: September 1 of 2<sup>nd</sup> year**
- **Externs: (for application process, see Work Study (Extern) Program below; two letters of recommendation are required)  
For spring semester – June 30 of preceding year;  
For fall semester – March 31**

Decisions on hiring (other than laterals and spring semester externs) are generally made in the fall consistent with the availability of positions and needs of the office.

## **EMPLOYMENT REQUIREMENTS**

- Only U.S. citizens are considered for appointment as attorney-advisers.

- All Attorneys must be eligible to receive a Top Secret security clearance based on a comprehensive background investigation. The investigation usually takes three to six months to complete. Clearances typically are received prior to beginning employment with this Office.
- All Department of State employees in positions requiring a Secret or higher security clearance are subject to random drug tests.
- Attorneys in the Federal Service are required to be admitted to and maintain active membership in the Bar of a state, the District of Columbia, a U.S. territory, or the Commonwealth of Puerto Rico. However, recent law school graduates may be hired before being admitted to the Bar under a special one-time Law Clerk appointment limited to fourteen months, which cannot be extended. Upon receipt of satisfactory evidence of Bar admission, the appointment will be converted to that of attorney-adviser.
- New attorneys initially receive three-year appointments. At the end of that period, subject to continuing successful performance, appointments are made permanent. Prior full-time service as a practicing attorney at another federal agency is counted toward meeting this initial requirement.
- Third-year students should plan to report to duty no later than November 30 following graduation from law school.

### **On-Campus Recruiting**

Resources permitting, attorneys from the Office visit a number of local and top tier law schools each summer and fall to interview interested students. These efforts include outreach to a diverse range of law students, including through visits to law schools and student groups with historically minority demographics. Students can determine from their school's placement office if our recruiters will be conducting fall interviews on their campus. If students are unable to obtain an on campus interview, they may submit their applications directly with the Office of the Legal Adviser ([legaljobs@state.gov](mailto:legaljobs@state.gov)).

### **Interview in Washington, D.C**

Because of the large number of applications and limited resources, interviews of prospective full-time candidates in Washington, D.C., are by invitation only. Candidates will not be reimbursed for travel expenses. On occasion, L participates in a Washington, DC-based hiring fair or interviewing consortium that provides an opportunity for law students, particularly from schools at which L does not schedule on campus interviews, to request interviews.

### **Compensation and Benefits**

Attorneys are paid according to the General Schedule for Federal employees. For recent law school graduates with less than one year of relevant legal experience, the standard appointment is at GS-11, step one. Candidates with at least one year of experience, such as judicial clerks, will be appointed at GS-12, step one. Non-government laterals are appointed at the grade level (up to GS-15) and step that they would have earned had they joined the Office directly from law school. On a case-by-case basis, we may be authorized to compensate a newly appointed attorney with "superior qualifications" at a higher step level. Attorneys at the GS-11 level may be appointed at up to step 10 in their salary grade. The possible step increase varies for the higher grades. Salary levels for laterals from other Federal agencies are based on their current grade and step.

Staff attorneys who perform exceptionally well are eligible for rapid advancement through GS-15. Employees must be in grade one full year before being promoted to the next grade. Assistant Legal Adviser positions are under the Senior Executive Service and typically are filled competitively.

Attorneys have the option to participate in comprehensive health and life insurance programs. They are covered by the Federal Employees Retirement System (FERS), which consists of a pension program, the

Thrift Savings Plan (a 401k-type savings program), and Social Security. Paid annual leave is earned at a rate of thirteen days annually for the first three years of employment, increasing to twenty days a year through the fifteenth year, and twenty-six days a year thereafter. Full-time employees also earn thirteen days of paid sick leave each year and receive ten paid Federal holidays. In addition, Federal employees are covered by the Family Medical Leave Act of 1993.

#### **Summer Intern Program**

The Office typically selects about twelve highly qualified second-year law students to participate in its Summer Intern Program. This provides a unique opportunity for students interested in public service and international law to become acquainted with the work of the Office as well as the Department (and to demonstrate their legal and interpersonal skills and acumen). Summer interns are normally given the same level of work as junior attorney-advisers. Interns are usually assigned to two offices in which they serve consecutively to ensure that they receive as broad an exposure as possible to the various facets of the Office's practice within the time allowed. Interns are encouraged also to take advantage of special summer programs and activities sponsored by the Department, the Federal Bar Association, the Department of Justice, and others.

The Office's summer intern program is highly competitive. Outstanding academic achievement, relevant international experience and/or extracurricular activity, strong interpersonal skills, references, and demonstrated professional potential and interest in public service are important factors in the selection process. Consideration is given only to U.S. citizens. We recognize that many students endeavor to divide the summer before their third year between two employers to broaden their exposure to the practice of law and finance their education. The Office is flexible in allowing students to schedule their internship any time between May and September with a minimum of six weeks of employment.

All applicants must submit a complete resume, including a law school transcript, together with a list of at least three professional references; a cover letter is also welcome. Applications should be submitted as early as possible in the summer and must in any event be received no later than September 1 of the second year. Applications submitted without a law school transcript will not be considered. Successful applicants will be notified around December 15, but their participation is conditional upon receipt of a Secret-level security clearance. Interns receive no pay from the U.S. Government and the U.S. Government defrays none of their personal expenses.

Students are informed that all materials produced while working in the Office are considered U.S. Government property and permission to use them for other purposes must be obtained from the proper authority at the Department of State. Students are subject to all requirements relating to retention or use of classified information (whether written or not) obtained in the course of employment.

The Legal Adviser's office also offers unpaid legal internship opportunities at the U.S. Embassy in The Hague, Netherlands and at the U.S. Mission in Geneva, Switzerland. Law students who are interested in applying for these positions should complete the intern application found at [careers.state.gov](http://careers.state.gov), and should indicate clearly in the application materials their interest in the U.S. Embassy The Hague or U.S. Mission Geneva.

#### **Work Study (Extern) Program**

The Office typically accepts five to ten highly qualified second or third year law students as full-time or part-time "work-study externs" in the fall and spring semesters. Externs receive no pay from the U.S. Government and the U.S. Government defrays none of their personal expenses. Externs may receive academic credit from their law school, at its discretion, and obtain fellowships, scholarships, or other non-USG funding to support their externship.

This Program provides an unparalleled opportunity for intensive involvement in the Office's work. Externs generally assume the same level of responsibility as summer interns and are expected to work between twenty and forty hours per week, the specific hours to be agreed upon prior to the commencement of the externship. Externs are typically assigned to one section of the Office, but may have the opportunity to



work in several areas of the Office's practice. Any academic requirements of the sponsoring institution are considered in the selection of assignments and projects, but the student is expected to invest a considerable amount of personal time outside the Office to accomplish any assignments required by his or her law school.

Externs, like interns, must be eligible to receive a Secret-level security clearance. Only U.S. citizens are considered for the program. Academic excellence, relevant experience, professional promise and the other factors identified for interns are important factors in the selection process. Applications for externship during the fall semester must be received no later than the preceding March 31, and for the spring semester no later than the preceding June 30. All applicants must submit a comprehensive resume, law school transcript, and two letters of recommendation from faculty members or officials of the sponsoring institution; a cover letter is also welcome. Externs will be requested to provide a statement affirming that the institution permits participation in such a program.

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