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# JOB POSTING

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Interested candidates should send their resume via regular mail, email (*as a Word document*) or facsimile to the address or phone number shown above. The Office of the Attorney General is an Equal Opportunity Employer offering a hybrid work model allowing for the possibility of working three remote days per week.

## **DEPUTY ATTORNEY GENERAL** **Data Privacy & Identity Theft Unit**

### **Summary**

Provides legal representation on behalf of the State and for the benefit of consumers. Reports to Section Chief – Data Privacy & ID Theft Unit.

### **Primary Subject Matter of Cases**

- Security breaches involving unauthorized acquisition of personal information.
- Telephone privacy, including federal and state telephone privacy statutes.
- Data privacy framework and statutes.
- Abandoned records cases.
- Online fraud and related crimes.

### **Essential Duties and Responsibilities**

- Review data breach notifications, including notifications from OCR, FBI, US Postal Inspector, Indiana State Police, financial institutions, and IC3. Assign files, tasks, and special projects to paralegal or investigator.
- Investigate consumer complaints of federal and state telephone privacy violations and prepare cases for prosecution of violations.
- Review reports of abandoned records and prepare recommendations for Chief Counsel and Director of Consumer Protection Division.
- Review decisions, policies, regulations, and other legal authorities relevant to subject matter. Develop, update, and utilize office training manuals, reference guides, and educational materials as required.
- Maintain caseload of investigation and litigation cases involving violations of data privacy, security breach, telephone privacy violations, federal and state computer related statutes and related consumer protection laws.
- Research and write motions, briefs, pleadings, discovery, and charging documents effectively.
- Handle all phases of pre-trial litigation. Prepare cases for trial. Appear in court and present evidence and arguments before judges and juries. Review documents, discovery responses, take and defend depositions, argue motions, issue subpoenas and supplemental discovery as appropriate. Negotiate settlements.

- Litigate cases in state and federal court, and as a co-plaintiff with other entities. Many of these cases require creative legal thinking.
- Evaluate complaints and investigative files to determine feasibility and effectiveness of civil, criminal, or referral actions.
- Communicate and build relationships with other attorneys general offices, FTC, FCC, OCR, and related agencies.
- Interact with general public to answer questions, provide educational materials and referral information, and gather data. Attend public presentations and meetings with law enforcement, other government agencies, and general public regarding subject area.
- Attend conferences, trainings, seminars to learn about legal trends in subject area and to develop relationships and communication protocols with interstate officials.
- Summarize cases, update supervisors, and present recommendations for disposition of cases.
- Supervise work of assigned paralegal, legal assistant, and investigator.
- Perform other tasks and special projects as assigned by Section Chief.

### **Qualifications**

- License to practice law in Indiana, and admission or ability to be admitted to US District Court for the Northern District of Indiana, and US District Court for Southern District of Indiana.
- Strong written and oral communication skills.
- Federal and state litigation experience.
- Ability to balance and manage high volume of cases and investigations and to handle multiple assignments of varied type and difficulty on ongoing basis.
- Knowledge of state and federal rules of procedure.
- Experience with online and mobile privacy, e-commerce, cloud computing, cyber security, big-data analytics, and data governance.
- Legal experience in interactive technology, product development, digital media or data driven products
- Experience working with/ and or familiarity with HIPAA, HITECH, CAN-SPAM, FCRA, FACTA, COPPA, TCPA, Gramm-Leech-Bliley, Indiana DCSA, Indiana telephone privacy, Indiana Disclosure of Security Breach, and Indiana Prohibited Spyware.
- Experience in assessing and implementing security and risk standards including PCI DSS, ISO 2700X, NIST, ITIL, COBIT preferred.
- Industry related certification preferred (e.g. CIPP/US, CISSP, CISM).
- Legal research and writing skills.
- Ability to negotiate favorable settlements or mediated resolution of cases.
- Ability to work with complainants, witnesses, and staff; sensitivity and awareness of public relations and political implications of high-profile cases.
- Strong sense of ethics, awareness of potential conflicts of interest that arise in public sector, adherence to Rules of Professional Conduct and state ethics rules.