

Insurance Regulation for attorneys is a steep learning curve. Attorneys generally are in training for the first six months. We strive to have attorneys take at least three, two-week courses within the first 6 months: Introduction to Insurance Regulation, Insurance Regulation Core Legal, Fundamentals of Insurance Regulation. Realistically it takes attorneys a couple of years before they are proficient with Insurance Regulation concepts.

Legal Division Director & General Counsel

- Primary legal advisor to the Insurance Commissioner
- Legal Division Supervisor - Assign cases and projects, balance case loads, arrange and hold staff meetings, provide guidance on legal research, and provide final recommendations to commissioner; set schedules, approve leave, and approve travel; higher and train new attorneys; perform annual staff evaluations; project and manage the division budget, and manage staff resources
- Advisor to the Department's human resources officer
- Provide legal support for the State Bonding Fund, and Fire and Tornado Fund
- Primary representative of the Insurance Department in Civil Litigation (ND State and Federal Court)
- Backup for administrative hearings
- National Association of Insurance Commissioners (NAIC) Market Conduct Actions Working Group Member
- Primary legal representative at NAIC National Meetings
- Department's Chief Market Conduct Examiner – Oversee insurance company market conduct exams, calls exams, supervising examiners, reviewing exam reports and enforcing orders.
- Keep abreast on state and national insurance issues, laws, and practices.
- Approves final drafts of legislation
- Approves final drafts of all administrative orders
- Approves final press releases
- Approves final draft of bulletins
- Primary advisor and legal representation for the State Fire Marshal

Attorney Duties for All Attorney Positions

- All Attorneys are required as necessary to:
 - Provide legal advice and legal representation to the Insurance Department staff and participate in administrative enforcement actions by drafting letters, memos, complaints, findings of fact, conclusions of law, orders, cease and desist orders, briefs, settlements etc. and attending hearings, examine witnesses, and prepare arguments as necessary
 - Assist with the investigation of alleged or potential violations of applicable insurance laws and administrative rules
 - Attend hearings and examine witnesses as necessary
 - Participate in legislation and administrative rules processes by identifying necessary changes to laws, drafting bills and rules, and attended and testify at hearings. Keep abreast on state and national insurance issues, laws, and practices
 - Handle inquiries and provide assistance to the public, producers, insurance companies, and the Legislature regarding the Department interpretation of statutes and regulations

- Assisting staff with formal correspondence with insurance licensees

P&C Attorney, Position 1

- Property and Casualty (P&C) Insurance Company Market Conduct examination
- P&C Advisory Organization Market Conduct examinations
- Government Insurance Pool Market Conduct examinations
- P&C and L&H Market Conduct Analysis
- NAIC P&C Market Conduct Certification compliance
- Serves as the Department's NAIC Collaborative Market Conduct Action Designee (CAD)
- Serves as the Department's NAIC Market Analysis Chief alternate (MAC alternate)
- Serves as the Department's NAIC Market Actions Working Group (MAWG) member alternate
- Serves as the Department's representative on the NAIC Advisory Organization Working Group
- Multistate Data call coordinator
- Special Assistant Attorney General assigned to P&C administrative actions. (e.g. Insurance company, insurance producer, managing general agents, etc.)
 - Currently – Deceptive insurance advertisements by companies, producers, and lead generators administrative action, etc.
- P&C Legislation drafting and review of Department legislation, monitoring proposed legislation, analysis of proposed legislation impacting P&C insurance, representing the Department on P&C legislation.
- P&C statutory analysis and interpretation
- State and Federal policy research and approval
 - Social media post and constitutional issues
- Secondarily analyze L&H statutes and administrative law
- Primary procurement officer
- Primary attorney for drafting and overseeing contracts
- P&C and Fire Marshal's open record requests.

P&C Attorney, Position 2

- Records retention compliance and analysis
- Life Settlement Application Evaluations – Broker, Provider, Producer
- Company Licensing foreign enforcement actions and revocation orders
- Special Assistant Attorney General assigned to P&C administrative actions. (e.g. Insurance company, insurance producer, managing general agents, etc.)
 - Currently– Insurer failing to fulfill valid claim after insured sold business, misleading sales tactics by producer
- Secondary Fire Marshal representation
- Company Licensing cyber security representation
- Company Licensing regulatory compliance (e.g. company names, company advertisements, etc.)
- State Policy research and approval
 - Employee manual
 - Record Retention
- P&C and Fire Marshal's open record requests
- P&C Market conduct exam and L&H market conduct exam backup

- Primary P&C consumer and producer legal inquiry analysis and responses
- Primary Surplus Lines Insurance and Non-admitted Company research, analysis and responses to inquires

L&H Attorney, Position 3

- Life & Health Insurance Company Market Conduct Examinations
- L&H Health Market Conduct Analysis
- Serves as the Department's NAIC Privacy Protections Working Group representative (PPWG)
- Serves as a Department representative on NAIC Federal Health Insurance Reg
- Serves as NAIC-CMS Health Ins. Network Adequacy, NAIC-CCIO Oversight
- Serves as Department support for NAIC B committee
- Serve as a Department representative on NAIC American Indian and Alaska Native Liaison Committee
- Serves as the Department representative FEMA and NFIP flood insurance insurance producer regulation and NFIP community participation.
- Special Assistant Attorney General assigned to primarily Life & Health administrative actions (e.g. Insurance company, insurance producer, managing general agents, etc.)
 - Currently – actions involving unlicensed entities (e.g. third-party administrators, producers, etc.); prohibited practices in insurance violations by companies and producers (rebating, unfair claims, etc)
- Life & Health legislation drafting and review of Department legislation, monitoring proposed legislation, analysis of proposed legislation impacting L&H insurance, representing the Department on L&H legislation
- Life & Health statutory analysis and interpretation
- Enforcement of state health insurance company actions against unlicensed insurance sales and solicitation outside of federal Indian lands.
- Life & Health open record requests.

L&H Attorney, Position 4

- Special Assistant Attorney General assigned to the areas of life and health
- L&H Legislation drafting, analysis and review
- L&H Secondary Open records
- Secondary Fire Marshal open records
- Primary Administrative Rules drafting and hearing representative
- Fraud Prosecution back-up
- Life and health statutory analysis and interpretation
- Participation in NAIC Conferences and Trainings
- Primary Surplus Lines Insurance and Non-admitted Company research, analysis and responses to inquires
- L&H License actions (license suspension, probations and revocations)
- Backup to NAIC B (Health) Committee support
- Primary L&H consumer and producer legal inquiry analysis and responses

Insurance Fraud Attorney 5

- Coordinate with States Attorneys
- Maintain insurance fraud and criminal fraud caseload
- Engage State's Attorneys in Prosecution Agreements
- Represent the Department in administrative fraud actions and enforcements
- Prosecute Criminal Insurance Fraud
 - Prepare Criminal: Complaints, subpoenas, briefs, evidentiary disclosures, prosecution evidence, witnesses, settlement negotiations, etc.
 - Appear in preliminary hearings and trial
- Coordinate with Department Law Enforcement Officers for Fraud Prosecution

Requested Attorney Position

- Primary Attorney for Fire Marshal's division
- Secondary Fraud Prosecution Attorney
- Civil fraud enforcement of consent orders
- Secondary administrative rules drafting and hearing representative
- General licensing actions (insurance company and producer)
- Secondary company licensing enforcements
- Primary domestic company licensing enforcements
- Unlicensed company enforcements