



An Equal Opportunity/Affirmative Action Employer

Announcement of Intention to Fill a Job Vacancy

Deputy General Counsel for Banking, NS

Location: One State Street, New York City

Business Unit: Office of General Counsel

Negotiating Unit: Management Confidential (MC)

Please note that a change in negotiating unit may affect your salary, insurance and other benefits.

Salary: \$162,868 - \$201,711 (salary commensurate with experience)

Positions located within the New York City metropolitan area, as well as Suffolk, Nassau, Rockland, and Westchester Counties, are also eligible to receive an additional \$3,087 annual downstate adjustment.

Appointment Status: This is an appointment to a position in the exempt jurisdictional class.

Appointment to this position is pending Governor Appointment's Office and Division of Budget approval.

The New York State Department of Financial Services seeks to build an equitable, transparent, and resilient financial system that benefits individuals and supports business. Through engagement, data-driven regulation and policy, and operational excellence, the Department and its employees are responsible for empowering consumers and protecting them from financial harm; ensuring the health of the entities we regulate; driving economic growth in New York through responsible innovation; and preserving the stability of the global financial system.

The Department of Financial Services is seeking candidates for the position of Deputy General Counsel for Banking in the Office of General Counsel. Reporting to the General Counsel, the Deputy General Counsel for Banking I is required to handle, and, may supervise the handling of legal questions which arise in connection with the activities of the Department of Financial Services (DFS). The duties of the Deputy General Counsel for Banking will include, but not be limited to:

- Renders professional regulatory legal services of a high degree of difficulty involving application of state and federal law to New York chartered financial institutions;
- Supervises a team of attorneys responsible for providing advice on the application of a myriad laws applying to the financial services industry;
- Interacts with state-chartered banks, licensed branches and agencies of foreign banking corporations, licensed lenders, check cashers and any other institution regulated by the Department;
- Drafts or assists in drafting new regulations to Title Numbers 3 (Banking), and/or 23 (Financial Services) of the New York Codes, Rules and Regulations (NYCRR) to support the needs of the Department;
- Reviews and edits regulations proposed by program areas to ensure that intent is clear, that all legal framework and references are correct, and that no conflict exists with current regulations;
- Ensures that regulations are available for public comment, prepares regulatory impact statements to address the impact on regulated entities, explains proposed regulations to the Executive Chamber, makes edits as required and obtains approval to proceed from the Executive Chamber;
- Drafts and edits proposed legislation;
- Reviews and edits memoranda on legislation which has been recommended by others and which may affect the work of the Department of State, chartered banking organizations and insurance companies;
- Reviews, comments and advises upon the legality of all actions which State-chartered banking organizations propose to take, and which, by statute or regulations, require the approval of the Superintendent;

- Advises on the legal sufficiency of merger agreements, organization certificates and other certificates or documents filed with the DFS pursuant to the Banking Law or Corporation Laws;
- Consults with attorneys for banking and insurance organizations and with representatives of the federal supervisory agencies;
- Prepares pleadings; plans litigation strategy; drafts legislation, rules, and regulations; performs legal research and analysis; drafts or reviews contracts; prepares opinions and memoranda of law; or appears at administrative tribunals of courts; and
- Other duties as assigned.

Preferred Qualifications

- Law degree from an accredited law school and admission to, and member in good standing of, the New York State Bar.
- At least eight years of relevant post-bar experience.
- At least four years of managerial supervision with a demonstrated ability to supervise large teams.
- Familiarity with Federal and State Banking Law as well as the New York Insurance Law and Financial Services Law.
- Experience working on bank regulatory issues.
- Ability to answer questions raised by Financial Service Examiners and others as to the legality of the actions taken by banking organizations and other financial entities.
- Superior written and legal research skills.
- Proficiency in preparing memoranda, particularly in summarizing documents reviewed.

Appointment method:

This is an appointment to a position in the exempt jurisdictional class. As such, the incumbent of this position would serve at the pleasure of the appointing authority.

To Apply: Interested qualified candidates must submit a resume and letter of interest **no later than September 21, 2023** to the email address listed below. Please include Box# (**Box GC-DGCB-00203**) in the subject line of your email to ensure receipt of your application. **Email submissions are preferred.**

Thomas Hurd
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New York State Department of Financial Services
Office of Human Resources Management
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Albany, NY 12257
Email: NCE.Notifications@dfs.ny.gov
Fax: (518) 402-5071

All candidates that apply may not be scheduled for an interview

Public Service Loan Forgiveness

Employment with New York State qualifies an individual for Public Service Loan Forgiveness (PSLF). This program forgives the remaining balance on any Direct Student Loans after you have made 120 qualifying monthly payments while working full-time for a U.S. federal, state, local, or tribal government or not-for-profit organization. To learn more about the program and whether you would qualify, please visit: <https://studentaid.gov/manage-loans/forgiveness-cancellation/public-service>

AMERICANS WITH DISABILITIES ACT: REASONABLE ACCOMMODATIONS

Under the Americans with Disabilities Act (ADA), the Department of Financial Services is required to provide reasonable accommodation for known physical or mental limitations of an otherwise qualified applicant with a disability if an accommodation would enable the applicant to perform the essential functions of the job. If the accommodation would constitute an undue hardship on the operations of the agency, the agency is not required to provide it.

Pursuant to Executive Order 161, no State entity, as defined by the Executive Order, is permitted to ask, or mandate, in any form, that an applicant for employment provide his or her current compensation, or any prior compensation history, until such time as the applicant is extended a conditional offer of employment with compensation. If such information has been requested from you before such time, please contact the Office of Employee Relations at (518) 473-3130 or via email at response@oer.ny.gov.