| **INSTRUCTIONS:** A duty statement and organizational chart must be submitted with each Request for Personnel Action, Form 242 | EFFECTIVE DATE |
| --- | --- |
|  |  |
| DFW DIVISION/BRANCH/REGION/OFFICE  Office of Spill Prevention and Response | POSITION NUMBER (Agency-Unit-Class-Serial)  565-071-5778-xxx |
| UNIT NAME AND LOCATION  Legal / Sacramento | CLASS TITLE  Attorney I |
| INCUMBENT  Vacant | CURRENT POSITION NUMBER (Agency-Unit-Class-Serial)  565-071-5795-005 |
| BRIEFLY DESCRIBE THE POSITION’S ORGANIZATION SETTING AND MAJOR FUNCTIONS: Under the direction of the Assistant Chief Counsel, the Attorney I will provide legal services for the Department of Fish and Wildlife’s Office of Spill Prevention and Response (OSPR). | |

| **PERCENTAGE OF TIME PERFORMING DUTIES** | INDICATE THE DUTIES AND RESPONSIBILITIES ASSIGNED TO THE POSITION AND THE PERCENTAGE OF TIME SPENT ON EACH. GROUP RELATED TASKS UNDER THE SAME PERCENTAGE WITH THE HIGHEST PERCENTAGE FIRST. (USE THE REVERSE SIDE IF NECESSARY.) | | |
| --- | --- | --- | --- |
| 40%  35%  10%  10%  5% | **ESSENTIAL FUNCTIONS**:  Work closely and cooperatively with the Attorneys General Offices in preparing cases for trial; assist in the investigation of inland and marine oil spill/pollution incident cases, and subsequent litigation, for civil and criminal oil spill/pollution cases; draft pleadings; respond to requests for discovery; conduct depositions; and represent the CDFW in all aspects of administrative proceedings.  Perform legal research to respond to demurrers, and motions for summary judgment; conduct research and prepare opinions to assist in the enforcement and prosecution of marine and inland oil spill/pollution incident cases; assist in developing strategies and tactics in disputes; and research and analyze legal principles and precedents associated with violation of pollution control laws, civil and administrative orders, and other prevention regulations governed by OSPR.  Assist in the preparation of cases involving potential fines and penalties, the initial preparation of MOUs, and contracts; and perform the legal review of inland and marine pollution control programs coordinated by OSPR.  Assist in the development of legal and administrative policy for the OSPR through consultation with the Administrator and other executives; and assist in the development of the yearly budget and expenditure plans for the OSPR Legal Branch.  **NON-ESSENTIAL FUNCTIONS:**  Perform administrative tasks, including tracking of time worked; attend career development and training programs, seminars as appropriate to contribute to the achievement of OSPR’s goals and objectives.  **KNOWLEDGE AND ABILITIES:**  **Knowledge of:** Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.  **Ability to:** Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.  **DESIRABLE QUALIFICATIONS**:  **Special Personal Characteristics:** Must have membership in the California StateBar.Work cooperatively with a variety of individuals and organizations and maintain mutually respectful working relationships, strong organizational skills, strong attention to detail, and the ability to actively handle deadlines.  **Interpersonal Skills:** Excellent oral and written communication skills, active listening skills, and act with tact, discretion, and patience.  **WORKING CONDITIONS**:  Ability to use a computer keyboard several hours a day, primarily sit and briefly walk or stand in an office setting. Must be able to operate a motor vehicle and be prepared to travel using a State vehicle. Occasional travel may be required.  **Additional Conditions:** **OSPR is a 24-hour oil and pollution spill response organization. The incumbent in this position can be required to participate in prevention and response training, drills and incidents throughout California, and to be available to deploy/travel with short notice for extended periods (up to 7 days).** | | |
| **SUPERVISOR’S STATEMENT**: **I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE.** | | | |
| **PRINT SUPERVISOR’S NAME**  Eric Milstein, Assistant Chief Counsel | | **SUPERVISOR’S SIGNATURE** | **DATE** |
| **EMPLOYEE’S STATEMENT**: **I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT.**  **I HAVE READ AND UNDERSTAND THE DUTIES AND ESSENTIAL FUNCTIONS OF THE POSITION AND CAN PERFORM THESE DUTIES WITH OR WITHOUT REASONABLE ACCOMMODATION.** | | | |
| **PRINT EMPLOYEE’S NAME** | | **EMPLOYEE’S SIGNATURE** | **DATE** |