|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | | Current Proposed | | |
| STATE OF CALIFORNIA  California Victim Compensation Board  Rev. 09/17 | |  | | |
| **DUTY STATEMENT** | | | | |
| EMPLOYEE | | | RPA NUMBER  19-035 | |
| VACANT | | |
| POSITION NUMBER | CLASSIFICATION | | WORKING TITLE | |
| 040-510-5393-825 | Assoc. Govt. Prog. Analyst | | Recovery Analyst | |
| DIVISION | BRANCH | | CBID | WWG |
| Legal | Probate & Settlement Recovery | | R01 | 2 |
| WORK DAYS | WORK HOURS | | TENURE | TIME BASE |
| Monday – Friday | Supervisor Discretion | | Permanent | Full-time |
| **CONFLICT OF INTEREST CLASSIFICATION** | | | | |
| This position is designated under the Conflict of Interest Code and is responsible for making, or participating in the making, of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete a Form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment. | | | | |
| Conflict of Interest Classification?  Yes  No | | | | |
| **DEPARTMENT OVERVIEW** | | | | |
| The California Victim Compensation Board (CalVCB) is a state program dedicated to providing reimbursement for many crime-related expenses to eligible victims who suffer physical injury or the threat of physical injury as a direct result of a violent crime. CalVCB funding comes from restitution paid by criminal offenders through fines, orders, penalty assessments and federal funds.  Our mission is to assure the rights of victims of crime by providing responsive financial compensation through a stable restitution fund. CalVCB is a special funded department under the direction of the Government Operations Agency. | | | | |
| **EMPLOYEE ACKNOWLEDGEMENT** | | | | |
| I have read and understand the duties of this position and I certify that I possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties as described above with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Office of Civil Rights). | | | | |
| EMPLOYEE’S NAME (Print) | EMPLOYEE’S SIGNATURE | | DATE | |
| Vacant |  | |  | |
| **SUPERVISOR ACKNOWLEDGEMENT** | | | | |
| I certify this duty statement represents current and an accurate description of the essential functions of this position. I have discussed the duties of this position with the employee and provided the employee a copy of this duty statement. | | | | |
| SUPERVISOR’S NAME (Print) | SUPERVISOR’S SIGNATURE | | DATE | |
|  |  | |  | |

| STATE OF CALIFORNIA California Victim Compensation Board  **DUTY STATEMENT**  (REV. 09/17) **RPA 19-035** | |
| --- | --- |
| **GENERAL STATEMENT** | |
| Under the direction of the Staff Services Manager I, Probate and Settlement Recovery Branch (PSRB), and with a substantial amount of independence and discretion, the Recovery Analyst (AGPA) administers all aspects of the Lien Identification and Probate and Settlement Recovery Program as it relates to compensation provided by CalVCB. | |
| **% OF TIME PERFORMING DUTIES** | **ESSENTIAL FUNCTIONS** |
|  | All duties will be performed in accordance with CalVCB policies and guidelines, such as the State Administrative Manual (SAM) and the CalVCB Retention Policy, and in compliance with all statues, regulations, and policies governing the program.  **This position is designated under the Conflict of Interest Code and is responsible for making, or participating in the making, of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete a Form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment.**  To achieve the goals of the Lien Identification and Recovery Program and the Probate Program, the incumbent identifies recovery sources (civil suits, workers’ compensation, auto insurance, and probate); carefully and accurately monitors the settlement and/or litigation process to protect CalVCB’s subrogation rights; and negotiates CalVCB’s liens at the time of settlement, to ensure the solvency of the Restitution Fund.  The incumbent will perform the more responsible, varied, and complex technical analytical staff services work in the PSRB, and continually provide consultative services to management and others. While performing these duties or representing CalVCB’s position in court or on other legal matters, the incumbent must maintain a firm and articulate professional demeanor.  **JOB REQUIREMENT:** Travel required up to 10% of the time. |
| 30%  30%  20%  10%  10% | **ESSENTIAL FUNCTIONS:**  Works closely with CalVCB and contracted county staff, and outside agencies to gather information on pending civil or workers’ compensation suits related to applications that have been filed with CalVCB and for which benefits were paid; identifies claims meeting the criteria of the statute (Gov. Code, § 13963 et seq.); investigates whether recovery sources are available (including auto insurance); reviews pertinent application information, complaints filed in court and, by contacting the attorneys or insurance company involved, makes a determination that liens should be filed in the pending litigation; advises management on the potential impact of proposed legislation; and works with legal staff to evaluate whether CalVCB’s subrogation and recovery practices are in accordance with the law. Prepares Notices of Lien for filing with the appropriate court or administrative agency; notifies applicants and their representatives, in writing, of the implications of the lien requirement; conducts periodic follow-up with applicant/plaintiff; defense counsel and insurance companies on the status of the cases; provides a written response to correspondence from an applicant’s attorney, Victim-Witness representatives, contracted county staff, insurance representatives, courts, and other representatives from city, county and state agencies; maintains the database regarding lien status and collection activities; reviews requests received from attorneys for reduction or waiver of liens; assesses each request; and prepares recommendations. Recommendations are based on knowledge of the background of the case, the future medical expenses of the applicant, the outstanding medical bills, the fees and costs of the attorney, the settlement amount, and any extenuating circumstances that will affect the claimant (recommendations are presented to the manager or Executive Staff). May testify in related proceedings in state or federal court or before administrative agencies and Boards. Independently works with the California Department of Corrections and Rehabilitation and County Restitution Specialists to research beneficiaries who meet the requirements of Probate Code section 216; determines whether CalVCB has provided benefits as a result of an offender’s criminal acts; researches complex issues associated with probate and restitution; prepares documents, correspondence, and communicates with estate attorneys and administrators, and the courts to determine whether liens should be filed to protect CalVCB’s rights; notifies attorneys and beneficiaries, in writing, of the implications of the lien requirement; follow-up on cases and payment status; advises management on the potential impact of proposed legislation; works with legal staff to evaluate whether CalVCB’s probate practices are in accordance with the law; maintains the database regarding probate collection activities; and prepares recommendations on probate matters that need to be forwarded to the Attorney General’s Office for litigation. May testify in related proceedings in state or federal court, administrative agencies, and Boards.  Acts as a resource to CalVCB staff, attorneys, County Victim/Witness centers and County Liaison Section staff, claimants and other governmental agencies regarding CalVCB’s subrogation and recovery rights, state laws and regulations as well as general knowledge of probate and workers’ compensation statutes and regulations. May act as lead. Conducts training classes for CalVCB staff and others regarding CalVCB’s probate and lien processes; conducts outreach activities with court staff and Workers’ Compensation Appeals Board Offices on issues regarding the CalVCB’s lien rights, procedural requirements; and conducts outreach to various segments of the Criminal Justice System regarding statutes and case law governing restitution in California. MARGINAL FUNCTIONS Assists with other matters falling within general analytical duties in the PSRB and Legal Division as required. | |
| **DESIRABLE QUALIFICATIONS** | | |
| * Ability to problem-solve and use critical and creative thinking to effectively perform work. * Display good interaction skills and the ability to deal tactfully, be congenial and in a personable manner with the public as well as with employees of CalVCB with a range of moods and behaviors. * Communicate successfully in a diverse community as well as with individuals from varied backgrounds. * Be supportive of others and promote their personal growth. * Knowledge of subrogation and recovery rights, collection practices, restitution, and general legal terms. * Interact successfully in a team environment. * Display good interaction skills. * Ability to act independently with open-mindedness, tact and good judgment. * Ability to effectively handle stress and deadlines in a fast-paced work environment. | | |
| **PERSONAL CHARACTERISTICS and EXPECTATIONS** | | |
| * Demonstrated ability to act independently and as a member of a team with open-mindedness, flexibility, and tact. * Ability to effectively handle stress and deadlines in a fast-paced work environment. * Ability to problem-solve and use critical and creative thinking to effectively perform work. * Display good interaction skills and the ability to deal professionally, congenially and in a personable manner with the public, other governmental entities, and staff at all levels. * Communicate successfully in a diverse community as well as with individuals from varied backgrounds. * Understand, follow and enforce all safety rules and procedures. * Be supportive of management and coworkers. * Maintain the confidence and cooperation of others. * Ensure deadlines are met. * Manage multiple & changing priorities. * Maintain acceptable, consistent, and regular attendance. * Develop and maintain knowledge and skill related to the job. * Complete assignments in a timely and efficient manner. | | |
| **PHYSICAL ABILITIES** | | |
| * Typical work requires prolonged sitting using a computer and telephone. * Common eye, hand, and finger dexterity is required for most essential functions. * Grasping and making repetitive hand movements in the performance of daily duties. | | |