

STATE OF CALIFORNIA – DEPARTMENT OF BUSINESS OVERSIGHT

**POSITION DUTY STATEMENT**

DBO HRO 203 (Rev. 08-13)



EMPLOYEE		CLASS TITLE: <b>Attorney IV</b>		WORKING TITLE: <b>Senior Counsel</b>	
DIVISION OR UNIT: <b>Legal Division</b>		POSITION NUMBER: <b>410-103-5780-xxx</b>		COLLECTIVE BARGAINING: <b>R02</b>	MCR: <b>1</b>
EFFECTIVE DATE:		CONFLICT OF INTEREST CATEGORY: <b>2</b>		PROBATION: <b>Limited Term</b>	
SALARY: <b>\$10,453.00 - \$13,421.00</b>		RANGE:		IMMEDIATE SUPERVISOR (Print) <b>Joyce Tsai</b>	
WORK SCHEDULE:				DAILY HOURS:	
<b>Mon</b> <input checked="" type="checkbox"/>	<b>Tues</b> <input checked="" type="checkbox"/>	<b>Wed.</b> <input checked="" type="checkbox"/>	<b>Thurs.</b> <input checked="" type="checkbox"/>	<b>Fri.</b> <input checked="" type="checkbox"/>	<b>Start:</b> a.m. <b>Finish:</b> p.m.
1. Supervision Received: Under the general supervision of the Assistant Chief Counsel. Incumbent may receive instruction from the Deputy Commissioner of the Legal Division.					
2. Supervision Exercised: None					
3. Physical Demands: Occasional travel may be required.					
4. Job Description: (Percentage of time performing each function)					
<i>Percent of Time</i>	<b>ESSENTIAL FUNCTIONS</b>				
40%	Handling the highest volume and most complex legal opinion requests, the incumbent is responsible for researching and preparing legal opinions regarding Assembly Bill 857, under which a local agency may establish a public bank. Advises the Department’s Banking Division regarding licensure, examination, and enforcement matters relating to public banks. Advises local agencies and other external stakeholders on novel issues surrounding the creation of a public bank. Provides informal and formal legal advice on a time-sensitive basis. Identifies potential legal problems and proposes solutions, analyzes statutes, regulations, policies and court rulings affecting the Department. Prepares the most complex interpretive opinions for external parties. Consults with and advises the Commissioner, Deputy Commissioner, and Assistant Chief Counsel on the legal and policy issues most important to the Commissioner and to the Governor. Participates in sensitive negotiations with outside private counsel, as well as with attorneys representing other government agencies. Provides legal subject matter expertise to the Department’s Enforcement Division. Represents the Department at meetings held by other regulators, industry groups, and the Legislature.				

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30%	Drafts complex and time-sensitive regulations implementing Assembly Bill 857 in order to establish the framework for licensure and regulation of public banks. Completes all documents necessary to comply with the Office of Administrative Law rulemaking process. Consults with industry representatives and other state, local, and national agencies in order to formulate new regulations. Develops forms and releases; initiates special projects to implement Department laws and policies; analyzes current legal developments and industry practices for purposes of drafting regulations; initiates projects that involve analysis of legal, economic, regulatory and social trends that may result in changes in the policies and interpretations of the Commissioner or which lead to proposed rulemaking. Drafts legislative proposals relating to public banks and other areas regulated by the Department. Researches and analyzes the most complex legislation affecting the Department's administration of laws under the jurisdiction of the Department; analyzes state and federal legislation regarding public banks as requested by the Commissioner, Agency, or Governor's Office; provides testimony at legislative hearings; participates in conversations with legislative staff, sponsors of legislation, and interest groups.
15%	Handles applications regarding mergers and acquisitions, acquisitions of control, securities, and purchases and sales of public banks. Makes recommendations to the Commissioner regarding approval of such applications and drafts memoranda regarding novel transaction structures. Drafts comment letters to and confers with outside counsel. Confers with the Department's Banking Division regarding unique transactions involving public banks.
10%	Serves as a lead over attorneys and support staff in the Legal Division. Provides formal and informal training for Attorneys and Attorney IIIs. Provides formal and informal trainings to Programs, Enforcement, and other Department staff. Assigns work and reviews work product to assist the Assistant Chief Counsel in her duties.
<i>Percent of Time</i>	<b>NON-ESSENTIAL FUNCTIONS</b>
5%	Performs other related duties as required.

**POSITION DUTY STATEMENT**

<b>PHYSICAL AND MENTAL REQUIREMENTS OF ESSENTIAL FUNCTIONS</b>					
<b>Activity</b>	<b>Not Required</b>	<b>Less than 25%</b>	<b>25% to 49%</b>	<b>50% to 74%</b>	<b>75% or More</b>
<b>VISION:</b> Reviewing mail; preparing various forms; proofreading documents; reading printed material, computer screens, and handwritten materials.					X
<b>HEARING:</b> Answering telephones; receiving verbal information from outside sources; understanding verbal instruction.					X
<b>SPEAKING:</b> Receiving visitors; answering inquiries and providing verbal information or instruction.					X
<b>MOVEMENT:</b> Delivering material to others; picking up materials from others; copying; faxing; distributing information; filing.				X	
<b>SITTING:</b> At a computer terminal or desk; conferring with employees.					X
<b>STANDING:</b>		X			
<b>BALANCING:</b>		X			
<b>CONCENTRATING:</b> Reviews and reads records/documents, researches, composes, analyzes, compiles, and updates technical documents; multi-tasking; prepares various forms and documents.					X
<b>COMPREHENSION:</b> Understanding needs of co-workers, clients; understands procedures and practices; Understands laws, regulations related to their work.					X
<b>WORKING INDEPENDENTLY:</b> Possesses ability to work independently as well as a team member, have good interpersonal and communication skills, ability to follow directions, take initiative, assume responsibility, and exercise good judgment and tact. Must be able to work alone without much guidance or interaction or interaction from other staff.					X
<b>LIFTING UP TO 10 LBS. OCCASIONALLY:</b>			X		

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<b>PHYSICAL AND MENTAL REQUIREMENTS OF ESSENTIAL FUNCTIONS</b>					
<b>Activity</b>	<b>Not Required</b>	<b>Less than 25%</b>	<b>25% to 49%</b>	<b>50% to 74%</b>	<b>75% or More</b>
LIFTING UP TO 20 LBS. OCCASIONALLY AND/OR 10 LBS. FREQUENTLY:			X		
LIFTING UP TO 20-50 LBS. OCCASIONALLY AND/OR 25-50 LBS. FREQUENTLY:		X			
FINGERING: Pushing buttons on telephone; typing; copying.				X	
REACHING: Answering phones.				X	
CARRYING: Distributing mail; reports; stocking supplies.			X		
CLIMBING: stairs		X			
BENDING AT WAIST:		X			
KNEELING:		X			
PUSHING OR PULLING:		X			
HANDLING:		X			
DRIVING:		X			
OPERATING EQUIPMENT: Computer; telephone; copy machine; fax.					X
WORKING INDOORS:					X
WORKING OUTDOORS:		X			
WORKING IN CONFINED SPACE: Enclosed office environment.					X

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**SIGNATURES**

**Certification of Applicant/Employee**

*Note – **Do not** sign certification if you have any concerns regarding your ability to perform the essential functions of this position. Contact the DBO Human Resources Office for additional information.*

*I certify that I possess essential personal certifications 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.*

*I have read and discussed these duties with my supervisor.*

\_\_\_\_\_  
*Employee's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Civil Service Title*

*I certify that the above accurately represents the duties of the position:*

\_\_\_\_\_  
*Supervisor's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Civil Service Title*

*Position classification approved:*

\_\_\_\_\_  
*Personnel Analyst's Signature*

\_\_\_\_\_  
*Date*