

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

CLASSIFICATION:

Attorney

POSITION NUMBER:

800-310-5778-XXX

DIVISION/BRANCH/REGION: *(UNDERLINE ALL THAT APPLY)*

Legal Division/IT and Administrative Litigation Branch

BUREAU/SECTION/UNIT: *(UNDERLINE ALL THAT APPLY)*

SUPERVISOR'S NAME:

Keri Tippins

SUPERVISOR'S CLASS:

Assistant Chief Counsel

SPECIAL REQUIREMENTS OF POSITION *(CHECK ALL THAT APPLY)*:

- Designated under Conflict of Interest Code.
- Duties require participation in the DMV Pull Notice Program.
- Requires repetitive movement of heavy objects.
- Performs other duties requiring high physical demand. *(Explain below)*
- None
- Other *(Explain below)*

Employees assigned to work in the Legal Division are required to obtain a criminal record background clearance by the Department of Justice and the Federal Bureau of Investigation.

I certify that this duty statement represents an accurate description of the essential functions of this position.

I have read this duty statement and agree that it represents the duties I am assigned.

SUPERVISOR'S SIGNATURE

DATE

EMPLOYEE'S SIGNATURE

DATE

SUPERVISION EXERCISED *(Check one)*:

- None Supervisor Lead Person Team Leader

FOR SUPERVISORY POSITIONS ONLY: Indicate the number of positions by classification that this position DIRECTLY supervises.

Total number of positions for which this position is responsible:

FOR LEADPERSONS OR TEAM LEADERS ONLY: Indicate the number of positions by classification that this position LEADS.

MISSION OF ORGANIZATIONAL UNIT:

The CDSS Legal Division's Information, Technology and Administrative Litigation (ITAL) Branch is dedicated to providing legal advice and services to the various Divisions within the Department responsible for administering or overseeing numerous social service programs and related functions including those services provided by the Administration Division, Child Care and Development Division, Disability Determination Service Division, Information Systems Division, Office of Equity, and the Research Automation and Data Division.

CONCEPT OF POSITION:

The Attorney is responsible for providing professional legal advice to Department staff and executive management. The Attorney must possess the knowledge and ability to advise orally and in writing on the laws, regulations, and policies relating to the administrative activities supporting the programs administered by the Department, including contracts, grants and procurements, assessments of contract compliance, data sharing, and associated laws. In addition, the Attorney will provide advice and guidance to Department staff and management on legal within the functional responsibility of the ITAL Branch, including training in these areas.

A. RESPONSIBILITIES OF POSITION:

40% - Provides legal support and advice to Department management and staff primarily in the Child Care and Development Division on matters that arise within the functional responsibility of the Legal Division's ITAL Branch, including contracting and procurements, audits, data management and disclosure, personnel, labor, equal employment opportunity and other government law issues. Conducts legal research and writes formal and informal legal opinions and other legal documents. Provides written and oral legal advice on these areas in a timely manner, consistent with the law and Department policy.

30% - Drafts, reviews and advises on procurement documents, contracts, amendments, state and federal funding documents, licenses, data use agreements, non-disclosure agreements and similar documents supporting department business functions. Assesses day-to-day operations for contract compliance and assists in the review and drafting of correspondence with contractors and other state entities.

15% - Provides legal advice and counsel to Department officials on legal matters. Performs legal research, analysis, and prepares legal opinions and policy positions. Prepares responses to inquiries from the Health and Human Services Agency, Executive staff, advocates, and the public. Analyzes, drafts and reviews existing and proposed legislation and regulations packages. Reviews, analyzes and, where applicable, responds to County Letters, Return to Agency Notifications, Government Claims and similar documents.

10% - Develops and conducts statewide training related to the State's procurement and purchasing laws and regulations. Responsible for the development, modification and revision of training materials and curriculum to include regular consultation with all levels of management and program staff to identify policy and implementation changes and regularly reviews and evaluates policy, statute and regulatory changes in order to incorporate into the training curriculum.

5% - Provides litigation support to the Attorney General's Office legal staff to include assessing potential legal issues and strategic planning to avoid litigation; respond to demand letters, and reviews and responds to discovery. Assists the Attorney General's Office with interpretation of statutes, regulations, policies and procedures regarding the Department's authority, and roles and responsibilities. May appear before the State Personnel Board or other administrative tribunal.

The above percentages of time are estimates only. The above duties and/or assigned percentages of time for the duties are subject to change and may include other duties not listed above as directed by Legal Division or other CDSS management.

B. SUPERVISION RECEIVED:

The Attorney reports to and receives general direction from an Assistant Chief Counsel and/or Senior Assistant Chief Counsel.

C. ADMINISTRATIVE RESPONSIBILITY:

None.

D. PERSONAL CONTACTS:

The Attorney has extensive contacts within and outside the Department. As an expert in the laws relating to administrative activities supporting the programs administered by the Department, the Attorney consults and advises CDSS managers, including the Director, Chief Deputy Directors, and Deputy Directors on legal matters. The Attorney is in continuous contact with Deputy Attorneys General (DAG) regarding litigation to which the Department is a party and assists the DAGs with legal problems and negotiations in the preparation and prosecution of difficult and complex litigation. The Attorney may also be required to consult with county staff, and participates in negotiations with other State entities including, but not limited to, the Department of General Services, Health and Human Services Agency, and the Department of Health Care Services.

E. ACTIONS AND CONSEQUENCES:

The Attorney deals with legal issues and litigation concerning the administrative activities supporting the Programs administered by the Department in which tens of millions of dollars are frequently involved. Failure to provide sound legal advice and exercise good judgment could subject the Department to costly litigation or compliance action, with significant adverse fiscal and policy consequences.

F. OTHER INFORMATION:

Occasional travel, for purposes of providing advice, training, guidance, etc. to Agency, Department or county staff or to assist a Deputy Attorney General on matters involving litigation is required. Employees assigned to the Legal Division are subject to a criminal record background check clearance by the Department of Justice and the Federal Bureau of Investigations.

(KT/KY - 6.2021)

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