



STATE OF CALIFORNIA

DUTY STATEMENT

CEC-004 (Revised 7/2021)

Classification(s): Attorney III

Position Number: 535-140-5795-039

Division/Office: Small Office/Chief Counsel's Office

Collective Bargaining Identifier (CBID): R02

Work Week Group (WWG): SE

Effective Date: October 25, 2021

Conflict of Interest (COI): Yes No

If yes, this position 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 Form 700 within 30 days of appointment, which identifies pertinent personal financial information.

Job Description

Under the general supervision of an Assistant Chief Counsel or the Chief Counsel, depending on the assignment, the incumbent performs the most complex legal work in the office.

Essential Duties

- 40% Represents technical staff in complex power plant siting and amendment proceedings, investigations, compliance, and enforcement matters. Duties include independently providing legal advice to technical staff on complex environmental, public health and safety issues, reviewing environmental and investigative documents, preparing staff witnesses for hearings, conducting direct and cross-examination in hearings, and negotiating settlements with power plant owners.
- 25% Drafts difficult and complex Commission legal documents, including legislation, briefs, regulations, and contracts. Duties include drafting complex legislation, drafting post-hearing briefs, and drafting and reviewing regulations.
- 15% Advises the Commission and its staff on complex rulemaking proceedings and Commission programs, including data management, power plant siting, and policy reports. Duties include responding to public requests for documents, preparing responses to requests for confidentiality, and drafting non-disclosure agreements.

10% Represents the Commission in sensitive and complex legal matters and litigation before other agencies and state and federal courts. Duties may include drafting Commission litigation or other legal filings.

Marginal Duties

5% Performs other duties as required, consistent with the specifications of the classification.

Knowledge, Skills, and Abilities

There are distinct increases in the complexity of knowledge and abilities, and the scope of work and effect on programs and services provided and performed as incumbents proceed through this classification series. Incumbents are expected to use the increasing knowledge, abilities, and experiences to perform increasingly difficult and complex legal duties effectively.

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.

Working Conditions

This position is Remote-Centric or Office-Centric. The position will be designated as Remote-Centric if the employee works on average three or more days per week from an alternate, non-State owned or operated work location, or Office-Centric if the employee works on average three days per week or more from the office.

Diversity and Inclusion Statement

As a State agency serving all Californians, the California Energy Commission is committed to being an organization that embodies diversity, equity, and inclusion. The Energy Commission plays an active and meaningful role in creating an environment that enables each employee to thrive.

Employee's Acknowledgement: I certify that I am able to perform, with or without the assistance of a reasonable accommodation, the essential duties of this position.

Employee's Name (Print): _____

Employee's Signature: _____ **Date:** _____

Supervisor's Acknowledgment: I certify this duty statement represents a current and accurate description of the essential functions of this position. I have discussed the duties of this position with and provided the above-named employee a copy of this duty statement.

Supervisor's Name (Print): _____

Supervisor's Signature: _____ **Date:** _____