STATE OF CALIFORNIA
DUTY STATEMENT
CEC-004 (Revised 2/2022)

Classification: Attorney IV
Position Number: 535-140-5780-008
Division/Office: Advocacy and Compliance Unit - Chief Counsel’s Office
Collective Bargaining Identifier (CBID): R02
Work Week Group (WWG): SE
Effective Date: April 15, 2022

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 the Assistant Chief Counsel or the Chief Counsel, depending on the assignment, an Attorney IV independently performs the more complex and sensitive legal services with broad discretion. Assignments involve novel theories and/or practice, evolving areas of law, legal area specialization, legal experts, matters of precedential value, and opposing counsel or representatives who have a high level of experience and specialization.

An Attorney IV does not supervise lower-level attorney staff, but may act in a lead capacity over the work of other attorneys and staff.

Essential Duties

30% Represents staff in more complex and sensitive California Energy Commission (Commission) proceedings relating to applications for certification of power plants, post certification petitions and amendments to Commission decisions, and small power plant certification exemptions. Duties include independently: (1) providing legal advice to staff on more complex legal issues, including compliance with the California Environmental Quality Act and consistency with applicable laws, ordinances, regulations, and standards; (2) drafting and reviewing environmental documents; (3) drafting more complex legal documents, including, but not limited to, motions, post-hearing briefs, and comments on proposed decisions; (4) preparing staff witnesses for administrative hearings; (5)
conducting direct and cross-examination in administrative hearings; and (6) negotiating settlements with power plant owners.

30% Advises staff in more complex and sensitive investigations, compliance, and enforcement matters related to power plants under the Commission’s jurisdiction and appliance energy efficiency requirements under Title 20 of California Code of Regulations. Duties include independently: (1) developing novel legal theories and strategies for compliance with and enforcement of applicable laws and regulations; and (2) drafting and reviewing more complex notices of violations, complaints, briefs, and settlements agreements.

20% Advises the Commission on more complex and sensitive data management matters, rulemaking, and legislative proposals. Duties include independently: (1) providing legal advice on and drafting responses to more complex and sensitive Public Records Act requests, applications for confidential designation, and non-disclosure agreements; (2) reviewing and drafting more complex rulemaking documents in compliance with the requirements of the California Administrative Procedure Act; and (3) reviewing and drafting more complex legislation.

15% Advises the Commission on more complex and sensitive legal matters related to integrated resource plans, energy reliability, emergency planning, and issues before the California Independent System Operator, Federal Energy Regulatory Commission, Western Electricity Coordinating Council, and state and federal courts. Duties may include reviewing and drafting more complex and sensitive Commission guidelines and reports as well as more complex and sensitive briefs and other legal documents filed in proceedings before other state and federal agencies or courts.

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**

The California Energy Commission offers a hybrid workplace model that is designed to support a distributed workforce of both office-based and remote-centric workers that relies on a high level of telework. Occasional travel may be required based on the needs of the office. Regular and consistent attendance - whether office-based or remote-centric - is essential to the successful performance in this position. This position is remote centered which means the incumbent works 50 percent or more of their time monthly from an alternate work location (i.e., teleworking). The employee shall adhere to the rotational office work schedule and required office work as set forth in the employee’s Telework Agreement and the Chief Counsel’s Office Telework Implementation Plan. Employees shall work during core business hours unless an alternative schedule is approved by the employee’s supervisor.

**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:** ______________