

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

CLASSIFICATION:

Assistant Chief Counsel

POSITION NUMBER:

800-310-5871-007

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

Legal Division/ Info, Tech. and Admin. Litigation Branch

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

Technology & Contracts Bureau

SUPERVISOR'S NAME:

Janine LaMar

SUPERVISOR'S CLASS:

Senior 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 employed 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.

The Assistant Chief Counsel directly supervises three Attorney IVs, six Attorney IIIs, and three Attorneys.

Total number of positions for which this position is responsible: 12

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

MISSION OF ORGANIZATIONAL UNIT:

The Legal Division's Information, Technology and Administrative Litigation Branch is dedicated to providing timely, responsive and accurate legal advice and services in a customer service oriented manner to the divisions within the California Department of Social Services (Department) that are responsible for administering or overseeing various public social services programs and related functions.

CONCEPT OF POSITION:

The Assistant Chief Counsel (ACC) of the Technology & Contracts Bureau is capable of performing the most complex and sensitive legal work required by the Bureau as well as providing consistent and substantive supervision to subordinate staff to ensure their work is completed timely, accurately and in a professional manner. As one of the most experienced attorneys in the Legal Division, the ACC is expected to be an expert or have the skills and experience to become an expert within a short time of the federal and state laws, regulations and policies that are applicable and related to the areas served by the Bureau.

A. RESPONSIBILITIES OF POSITION:

30% (E) Personnel Management - Plans, organizes, directs, and provides managerial review of the work performed by staff in the Bureau. Expected to appropriately evaluate and delegate assignments, prioritize work assignments, and ensure consistent and accurate legal advice is provided by subordinate legal staff. Recruits, hires, trains, develops, and provides leadership to staff. Complies with state and federal laws, rules, regulations, bargaining unit contracts, and policies in all personnel practices, including hiring, employee development, and management. Provides regular and timely written performance appraisals to staff. Identifies appropriate long-range plans and goals to address succession planning and knowledge transfer. Counsels staff and initiates disciplinary actions as necessary. In addition, the ACC is expected to complete requests and justifications for additional resources, and develop and implement policies and procedures applicable to the internal functions of the Bureau, Branch and Legal Division.

30% (E) Contracts and Procurement Legal Advisor - Provides legal advice and assistance to the Department's management concerning the development and execution of various legal agreements and information technology projects. Oversees legal consistency and formulates legal policy pertaining to the implementation of applicable laws and regulations, related to IT and non-IT procurement, contracting, and grant administration and acquisition. Provides legal recommendations and other legal support concerning proposed legislation and regulations, complex litigation, and statewide program initiatives affecting these areas. Meets with program managers within the Department on a regular basis, to coordinate legal support. The ACC is also expected to independently perform ongoing legal work on the most complex and sensitive assignments. Manages the development and ongoing delivery of various trainings related to the work of the Bureau.

20% (M) Foster Family Home and Small Family Home Insurance Fund (FSH Fund) Oversight - Responsible for the administration of FSH Fund. FSH Fund provides liability insurance coverage for foster parents related to incidents in providing foster care services. The Fund's liability coverage is to licensed FFH, SFH, and approved resource family homes. The ACC is responsible for oversight of the timely acquisition of legal representation, initial assessment of claims, settlement of claims as appropriate; and processing and payment of attorneys fees.

15% (E) Expected to advise the Senior Assistant Chief Counsel (CEA B), Chief Counsel, Department directorate and program managers as well as state control agencies on complex and significant issues pertaining to the programs served by the Branch. Act on behalf of the Senior Assistant Chief Counsel.

5% (M) Litigation and Other Proceedings

Prepares or reviews legal documents as required, including legislation, regulations, policy documents, bill analyses, contracts, and correspondence. Reviews case referrals to the Office of the Attorney General and other prosecuting agencies. Coordinates enforcement and case management issues with the Office of the Attorney General and other prosecuting agencies.

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 the Senior Assistant Chief Counsel, Chief Counsel or other CDSS management.

B. SUPERVISION RECEIVED:

The ACC is expected to work independently under the general direction of a Senior Assistant Chief Counsel (CEA IV) with minimal supervision and be able to exercise well-reasoned, appropriate and independent judgment and discretion in performing and completing his or her duties without routine review.

C. ADMINISTRATIVE RESPONSIBILITY:

The ACC is expected to be responsible for his or her own work assignments that are in addition to the supervisory responsibilities to oversee the completion of work assignments by subordinate staff. In addition, the ACC is expected to assist in the recruiting, selection and training of subordinate staff.

D. PERSONAL CONTACTS:

The ACC is expected to interact with Department executives, management and program staff as well as with other departments including the Governor's Office, California Health and Human Services Agency, California Department of Technology, Department of General Services and the Office of the Attorney General. The ACC is expected to conduct these interactions in a responsible, professional and timely manner. The ACC is also expected to interact accordingly with county and federal partners, stakeholders and the general public.

E. ACTIONS AND CONSEQUENCES:

The ACC is expected to be personally capable of reviewing, analyzing and completing the review, analysis and completion of the most difficult and sensitive legal issues that pertain to the areas served by the Bureau. Failure to adequately represent the Department or complete the expected work could result in significant legal and fiscal consequences adverse to the Department and the Administration. Failure to provide timely, responsive and accurate legal advice could subject the Department to liabilities, litigation and adverse compliance actions with significant adverse policy consequences.

F. OTHER INFORMATION:

The ACC is expected to be able to travel occasionally to perform his or her job responsibilities which may include assisting the Office of the Attorney General in litigation matters in superior courts throughout the state, attending training or participating in meetings as a Department representative. The ACC position is eligible for Remote-Centered telework but is required to be in the office as necessary.