**OFFICE OF THE STATE CONTROLLER**

**PROPOSED**

DUTY STATEMENT

|  |  |
| --- | --- |
| **EMPLOYEE NAME**  Vacant | **DIVISION – UNIT NAME**  Executive Office – Legal Office |
| **CLASSIFICATION TITLE**  Attorney III | **HEADQUARTERS ADDRESS**  300 Capitol Mall  Sacramento, CA 95814 |
| **WORKING TITLE**  Attorney | **POSITION NUMBER**  051-720-5795-016 |
|  | **EFFECTIVE DATE**  January 2025 |

**SECTION A: GENERAL DESCRIPTION**

With general direction provided by the Assistant Chief Counsel, effectively perform the most sensitive and complex legal work of the Office of the State Controller consistently and with favorable results. That means prepare or assist in preparing cases, opinions, briefs, and other legal documents such as memoranda, digests, summaries, and reports on behalf of the State Controller. Specific duties include but will not limited to the following:

**SECTION B: ESSENTIAL FUNCTIONS**

(*Candidates must have the ability to perform the following essential functions with or without reasonable accommodations*.)

Percentage of

Time Spent Typical Task

|  |  |
| --- | --- |
| 35%  30%  20%  15% | Effectively and consistently exhibit the following core competencies:   * Ability to analyze, appraise, and apply difficult legal principles and precedents to legal issues; * Ability to research exceptionally difficult and complex legal issues; * Present statements of fact, law, and argument clearly/logically, in written and oral format; * Draft complex and difficult legal opinions, pleadings, rulings, regulations, and legislation; * Conduct crucial litigation;   Work cooperatively with a variety of organizations and individuals including, but not limited to the Chief Legal Counsel, Chief of Staff when assigned, division chiefs, program managers, Department of Justice, State Personnel Board, etc.;  Act in an expert capacity regarding legal issues relating to the discharge of the State Controller’s Fiscal responsibilities as Chief Fiscal Officer;  Provide and propose legal advice and/or legal opinions to the Chief Counsel, Senior Executive management regarding program litigation, challenges, or attestation issues;  Assist the Chief Legal Counsel in the preparation of or have responsibility for preparing cases which may result in litigation before boards, commissions, hearing officers, administrative law judges, or trial or appellate courts;  Develop strategies and tactics resulting from disputes or potential litigation; assemble and evaluate evidence; secure and interview witnesses; conduct negotiations; represent departments in hearings and litigation;  Initiate settlement discussions that may involve potentially millions of dollars in to resolve with businesses, multi-national companies, and other attorneys;  Conduct informal hearings and negotiations with taxpayers and their legal representatives involving non-payment of tax assessments;  Attend hearings as scheduled; travel to and from various locations in the discharge of assigned responsibilities; |

**SECTION C: NON-ESSENTIAL FUNCTIONS**

Percentage of

Time Spent Non Essential Functions:

|  |  |
| --- | --- |
| 0% | None |

**SECTION D: ADA REQUIREMENT**

(*Alternative will be provided for incumbents who are unable to perform the non-essential functions of the job because of a disability as defined by the Americans with Disabilities Act*).

**SECTION E: KNOWLEDGE, SKILLS AND ABILITIES**

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.

**SECTION F: RESPONSIBILITY FOR DECISIONS (CONSEQUENCE OF ERROR)**

This position will have significant responsibility for the decisions rendered stemming from case work and negotiations that may occur. These decision may be significant in terms of dollar amounts and impact to the State Controller’s Office as a whole. Therefore, it is critical that individuals appointed to this level of classification clearly demonstrate clear understanding of all laws related to the area of focus, and possess a history of using good judgment and an interest in protecting its client in the discharge of their service.

**SECTION G: PERSONAL CONTACT**

It is anticipated that individuals appointed to this classification will interact with the Chief Legal Counsel, and Senior Executive management within the SCO. The incumbent will be expected to work closely with external client partners that may include other attorneys, business executives, and potentially the public sector in the discharge of their responsibilities to the SCO.

**SECTION H: WORK ENVIORNMENT**

The typical work environment includes, but will not be limited to high-rise building working in an office environment containing standard office equipment, which includes telecommunication, desktop and/or personal computers, copy machine, and standard office supplies. The incumbent may be required to work in other locations (i.e. court rooms, etc.) to complete assigned duties. It may require the incumbent to meet in other office space beyond his/her assigned office space.

**SECTION I: PHYSICAL REQUIREMENTS**

Any lifting, moving, keying, etc. required for this position.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Check the frequency of activity required of the employee to perform the job | | | | |
| Activity  (Hours per day) | Never  (0 Hours) | Occasionally  (up to 3 hours) | Frequently  (3 to 6 hours) | Constantly  (6 to 8 hours) |
| Sitting |  |  | √ |  |
| Walking |  | √ |  |  |
| Standing |  | √ |  |  |
| Bending (neck/waist) |  | √ |  |  |
| Squatting |  | √ |  |  |
| Climbing | √ |  |  |  |
| Kneeling |  | √ |  |  |
| Crawling | √ |  |  |  |
| Twisting (neck/waist) |  | √ |  |  |
| Is repetitive use of hand(s) required? |  | √ |  |  |
| Simple Grasping (R or L) |  | √ |  |  |
| Power Grasping (R or L) |  | √ |  |  |
| Fine Manipulation (R or L) |  | √ |  |  |
| Pushing/Pulling (R or L) |  | √ |  |  |
| Reaching (above/below shoulder level) |  | √ |  |  |
| Lifting/Carrying | Describe the heaviest item required to be lifted or carried, the frequency and the distance:  Incumbent may be required to lift up to 25lbs on occasions. | | | |

**SECTION J: SIGNATURE**

By signing this document, I acknowledge review of the above assigned tasks and fully understand that this duty statement is not an exhaustive list and that I may receive instructions to complete other assignments consistent and within the scope of the classification identified above. I further acknowledge that management, due to operational needs or program constraints, may modify the duties of this position.

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Employee’s Signature Date

I have discussed and provided a copy of this duty statement to the employee named above.

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Supervisor’s Signature Date