



## POSITION DUTY STATEMENT

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| <b>Division:</b> Legal Affairs Division   | <b>Classification Title:</b> 5778 Attorney |
| <b>Branch:</b> Legal Office   | <b>Working Title:</b> Attorney             |
| <b>Unit:</b> Legal Office   | <b>Tenure/Timebase:</b> Permanent Fulltime |
| <b>Position City:</b> Sacramento  | <b>Position County:</b> Sacramento County  |
| <b>Position Number:</b> 019-5778-012  | <b>CBID/Bargaining Unit:</b> R02           |
| <b>Conflict of Interest Classification:</b> Yes<br><br>This position is designated under the Conflict of Interest Code. 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. Failure to comply with the Conflict of Interest Code requirements may void the appointment. |  |
| <b>Medical Evaluation:</b> No   | <b>Bilingual Language:</b> Unknown         |
| <b>Sensitive Position:</b> No   | <b>DMV Employee Pull Notice:</b> Yes       |
| <b>Fingerprint/Live Scan:</b> Yes   | <b>Professional License:</b> Yes           |
| <b>Work Week Group:</b> SE  | <b>Effective Date:</b> 07/21/2025          |

**Direction Statement and General Description of Duties:** This position is headquartered in Sacramento; however, the incumbent will be placed in the Sacramento Legal Office or a DMV Driver Safety Office closest to place of residency. Under supervision of an Assistant Chief Counsel, the incumbent performs legal work in multiple areas of the law, with a primary focus on Driver Safety and administrative actions against driver licenses; advises the various classifications within the Driver Safety Branch; represents the Department or its subdivisions in any forum with respect to matters requiring legal expertise or advocacy; develops strategies and tactics in disputes or litigation in court, Office of Administrative Hearings, State Personnel Board, and other administrative matters. On a specific case, the incumbent may be the principal liaison with the Attorney General's Office, local district attorneys, and other State and Federal agencies.



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**Percentage and Essential/Marginal Functions:**

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| 50% | <b>Provides Advice (E)</b><br><br>Advises and trains Department personnel concerning Driver Safety. Reviews Driver Safety matters, responds to inquiries and coordinates writs. Reviews administrative cases for presentation to Director or designee. Represents the Department in lawsuits and writs handled by the Attorney General, assisting the Attorney General in responding to pleadings, conducting discovery, coordinating witnesses, obtaining information, and appearing at mediations, arbitration's, settlements and court appearances. Assists in formulating policy decisions for departmental clients at the direction of the Assistant Chief Counsel or Deputy Director/Chief Counsel.  |
| 35% | <b>Represents the Department (E)</b><br><br>Administrative Law: Reviews investigation reports and evidence, drafts pleadings, conducts discovery, prepares for hearing, and presents cases before the Office of Administrative Hearings in occupational licensing matters. Works in cooperation with the Attorney General's Office and local district attorneys on related civil and criminal cases; negotiates settlements and monitors and implements consumer restitution orders. Represents the Department in appeals before the State Personnel Board on employment matters, including those involving employee fraud and criminal conduct. Represents the Department in other administrative forums in cases requiring experience and expertise.<br><br>Litigation: May be delegated authority by the Attorney General to represent the Department in multi-party Superior Court dealer bond interpleader cases and collection cases. Prepares complaints, cross complaints, answers, and bond claims on behalf of the Department; conducts civil discovery; appears in court; negotiates settlements. |
| 10% | <b>Conducts Legal Research (E)</b><br><br>Reviews pending legislation and regulations, research law, and prepares legal analyses. Draft opinions and law involving legislation and regulations involving the Department of Motor Vehicles and its program.   |
| 5%  | <b>Miscellaneous (M)</b><br><br>Performs other job-related duties as required.   |

**Supervision Received:** Under supervision of an Assistant Chief Counsel; however, directions and



DEPARTMENT OF MOTOR VEHICLES  
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019-5778-012

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| assignments may also come from the Chief Counsel.   |
| <b>Supervision Exercised and Staff Numbers:</b> None.   |
| <b>Physical Requirements:</b> Travel may be required to locations away from the office for purposes of appearing in court for research purposes or for other reasons necessary to carry out assignments. Travel may be statewide and may require air travel.  |
| <b>Special Requirements:</b> Active membership in the California State Bar is required.   |
| <b>Personal Contacts:</b> Interacts in person, TEAMS, over the phone or in written communication with the following: DMV Management, DMV team members, and DMV customers; federal, state and local entities and employees; third party stake holders; attorneys and pro se litigants, judges and other court employees; administrative law judges, and other employees at the Office of Administrative Hearings and the State Personnel Board. Interactions may be of a confidential or sensitive nature. |

EMPLOYEE ACKNOWLEDGMENT

*I have read and understand the duties listed above and I certify that I possess essential personal qualifications including integrity, initiative, dependability, good judgment, and the ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties as described above with or without reasonable accommodation. (If you believe you may need to request reasonable accommodation to perform the duties of this position, discuss your request with your manager/supervisor who will engage with you in the interactive process.)*

| EMPLOYEE NAME | EMPLOYEE SIGNATURE | DATE |
|---------------|--------------------|------|
|               |                    |      |

MANAGER/SUPERVISOR ACKNOWLEDGMENT

*I certify this duty statement represents a current and accurate description of the essential functions of the position. I have discussed the duties of this position with the employee and provided the employee a copy of this duty statement*

| MANAGER/SUPERVISOR NAME | MANAGER/SUPERVISOR SIGNATURE | DATE |
|-------------------------|------------------------------|------|
|                         |                              |      |