



☐ PROPOSED ☒ CURRENT

<b>Classification Title</b>	<b>Division</b>
Attorney	Legal Affairs
<b>Working Title</b>	<b>Office/Unit/Section/Geographic Location</b>
Attorney	Attorney Services Office A
<b>Position Number</b>	<b>Name and Effective Date</b>
592-830-5778-001	Vacant

**General Statement:** Under the supervision of the Attorney, Assistant Chief Counsel (ACC) in the Attorney Services Office A (Office), part of the Legal Affairs Division (Division), within the Department of Cannabis Control (Department), the Attorney will be responsible for providing a full range of legal services on behalf of the Department. Duties include, but are not limited to, the following:

**A. Specific Assignments [w/ Essential (E) / Marginal (M) Functions]**

**40% (E) Document Preparation and Review**

Research, draft, and review regulatory documents, contracts, decisions, and orders pursuant to the Administrative Procedure Act (APA), motions, pleadings, and other legal documents. Prepare responses to subpoenas, public record act requests, discovery requests, and other information requests. Review and prepare budget change proposals, legislative analysis, press releases, correspondence, pamphlets, law publications, newsletters, and guidance documents. Research and prepare responses to the public, industry, governmental units, and others on behalf of the Department.

**30% (E) Review License Applications and Enforcement Actions**

Review applications for licensure and provide written and oral opinions regarding whether the legal requirements for licensure have been met. Review and provide written and oral opinions on investigation reports, notices to comply, and other enforcement documents. Review and prepare, if necessary, application documents related to CEQA.

**15% (E) Legal Consultation and Advice**

Identify the nature of legal issues, generate alternatives, and implement solutions and approaches. Study, interpret, and apply laws, regulations, court decisions, and other legal authorities. Monitor and review developments in the laws and regulations governing cannabis at local, state, federal, and international levels. Advise and provide expert legal opinions related to the substance and form of regulations, contracts, APA, state and federal laws and regulations pertinent to the Department's regulatory and operational activities, including open meeting laws, public records laws, California Environmental Quality Act (CEQA), and other laws as needed. Communicate legal principles, facts, and positions to various audiences and forums in a courteous and professional tone and manner. Provide oral and written opinions to the Director, Chief Deputy Director, executives, and staff. Issue written and oral opinions to attorneys, members of the public, legislators and staff, and other governmental agencies when

requested. Provide legal advice and opinions on areas of law. Coordinate with the California Attorney General's Office regarding pending litigation.

**5% (E) Representation**

Conduct or participate in public meetings and hearings, including but not limited to proposed regulation hearings and advisory committee meetings. Represent the Department in hearings and litigation when requested. Provide presentations when requested.

**5% (E) Administration**

Prepare and conduct education and training programs, develop training materials, and coordinate training with other relevant organizations in a lead capacity. Mentor junior attorneys in areas of expertise. Research and write research reports, fact sheets, and other published materials for the Department. Participate in activities of the State Bar.

**5% (E) Professional Development**

Participate in professional development trainings, as well as tasks, meetings, and activities that support programmatic and workplace diversity, equity, and inclusion.

**B. Headquarters Designation**

Department Headquarters Office, Rancho Cordova, CA 95670

**C. Supervision Received**

The incumbent will receive assignments and directions from the Attorney, ACC; however, assignments and directions may come from the Deputy Director and/or the Chief Deputy Director.

**D. Supervision Exercised**

None.

**E. Administrative Responsibility**

None.

**F. Personal Contacts**

The incumbent will have regular and continuous contact with Department management and staff. The incumbent will have occasional to frequent contact with the Governor's Office, professional or industry associations, the Attorney General's Office, the California Department of Human Resources, the State Personnel Board, other cannabis licensing departments, and the public.

**G. Actions and Consequences**

Failure to adequately perform the outlined functions and duties listed above may result in harm to the general public, inaccurate legal documentation, or unjustified determinations against cannabis entities. Failure to exercise good judgement in the handling of sensitive issues may result in jeopardizing the legal authority, confidence, and integrity of the Department.

**H. Functional Requirements**

The incumbent is a Work Week Group SE employee and is expected to work 40 hours per week, Monday through Friday, 8:00AM-5:00PM; however, may be expected to work specified hours based on the business needs of the Division and/or the Department. Regular attendance and punctuality are an essential part of this job.

The incumbent is expected to work in an office setting with artificial light and temperature control. Sitting and standing requirements are consistent with work in an office setting. Daily access to and use of a computer, keyboard, mouse, and telephone is essential. Occasional lifting from 10-15 pounds may be required.

In all job functions, the incumbent is responsible for creating an inclusive, safe, and secure environment that values diverse cultures, perspectives and experiences, and is free from discrimination. The incumbent is expected to provide all members of the public equitable services and treatment and work toward improving outcomes for all Californians.

**I. Other Information**

The incumbent shall possess the general qualifications, as described in California Code of Regulations Title 2, Section 172, which include, integrity, honesty, dependability, thoroughness, accuracy, good judgment, initiative, resourcefulness, and the ability to work cooperatively with others. This incumbent will maintain consistent and regular attendance, communicate effectively (both orally and in writing) when dealing with the general public and/or other employees, develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools, and equipment, and adhere to departmental policies and procedures.

**Licensing Requirement** – The incumbent must maintain an active membership in the California State Bar.

**Criminal Offender Record Information (CORI)** - Title 11, section 703(d) of the California Code of Regulations requires criminal record checks of all personnel who have access to CORI. Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance with CORI procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

**Conflict of Interest (COI)** - This position is subject to COI Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st, and within 30 days of leaving office.

**I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation.** (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Equal Employment Opportunity Office.)

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Employee Signature

Date

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Employee's Printed Name – Classification

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

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Supervisor Signature

Date

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Supervisor's Printed Name – Classification

Rev 07/2025