

POSITION DUTY STATEMENT

DOT PM-0924 (REV 01/2025)

CLASSIFICATION TITLE Attorney V	OFFICE/BRANCH/SECTION DISTRICT 42/SACRAMENTO LEGAL OFFICE	
WORKING TITLE Attorney V	POSITION NUMBER 701-001-5781-xxx	REVISION DATE 08/14/2025

As a valued member of the Caltrans team, you make it possible to improve lives and communities through transportation.

GENERAL STATEMENT:

Under the general direction and reporting to the Chief Counsel, Deputy Chief Counsel, Assistant Chief Counsel and/or Attorney Supervisor, the Attorney V works as the Department's highest levels of expertise in complex and difficult legal fields. Working independently as the top expert in the Department's Legal Division in their subject matter, incumbents at this level are involved in the most difficult and most complex litigation, which includes innovative theories; studies, Interpretation and application of laws, court decisions, and other authorities in preparing the most difficult and/or complex cases, opinions and briefs; prepares and presents cases for trial; specialization in law; and/or does a variety of the most difficult, complex and/or politically sensitive transactional work.

Attorneys at this level are recognized as having an exceptional level of expertise that distinguishes herself/himself in a special field of knowledge and who may serve as the Legal Division's top expert in that field. Work at this level involves innovative theories, practices of law, specialization in an area of law overseen by or involving the department, and requiring contact with the legislature, high level governor appointees, constitutional officers, or their designee, and/or the general public. Work may involve issues of statewide and/or strategic significance in support of the Department's mission, vision and goals.

CORE COMPETENCIES:

As an Attorney V, the incumbent is expected to become proficient in the following competencies as described below in order to successfully perform the essential functions of the job, while adhering to and promoting the Department's Mission, Vision, Values, Strategic Imperatives and Goals. Effective development of the identified Core Competencies fosters the advancement of the following Leadership Competencies: Change Commitment, Risk Appetite, Self-Development/Growth, Conflict Management, Relationship Building, Organizational Awareness, Communication, Strategic Perspective, and Results Driven.

- **Creativity and Innovation:** Thinks beyond the confines of traditional models to recognize opportunities, seek creative solutions and take intelligent risks. (Employee Excellence - Equity, Innovation, Integrity)
- **Decision Making:** Makes critical and timely decisions. Takes charge. Supports appropriate risk. Makes challenging and appropriate decisions. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)
- **Ethics and Integrity:** Demonstrated concern to be perceived as responsible, reliable, and trustworthy. Respects the confidentiality of information or concern shared by others. Honest and forthright. Conforms to accepted standards of conduct. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)
- **Problem-solving and Decision-making :** Identifies problems and uses logical analysis to find information, understand causes, and evaluate and select or recommend best possible courses of action. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)
- **Teamwork/Partnership:** Develops, maintains, and strengthens partnerships with others inside or outside of the organization through effective communication and collaboration. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)
- **Customer Focus:** Considers, prioritizes, and takes action on the needs of both internal and external customers. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)
- **Interpersonal Effectiveness :** Effectively and appropriately interacts and communicates with others to build positive, constructive, professional relationships. Tailors communication style based on the audience. Provides and is receptive to feedback. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)
- **Forward Thinking:** Anticipates the implications and consequences of situations and takes appropriate actions to be prepared for possible contingencies. Anticipates and prepares for future developments. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)
- **Thoroughness:** Ensures that work and information is complete and accurate. Ensures that assignment goals, objectives, and completion dates are met. Documents and reports on work progress. (Employee Excellence - Collaboration, Equity, Innovation, Integrity)

TYPICAL DUTIES:

Percentage  
Essential (E)/Marginal (M)<sup>1</sup>      Job Description

ADA Notice

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50%	E	<p><b>ADVISE:</b> Advise on the planning and implementation of projects from a legal, commercial and financial perspective. Advise and consult the Department staff at all relevant stages in the project cycle, including advise on disputes and ensure resolution, as part of the pre-litigation dispute resolution process. Advise on legal risks and rewards related to the project from inception to the signing of the necessary contracts. Advise on legislative and regulatory framework for all innovative project delivery programs.</p> <p><b>TRAINING:</b> Develop, implement and/or provide training to the Legal Division, Claims clients and/or stakeholders.</p> <p><b>LEGISLATION AND POLICY:</b> Consult with and support client in addressing strategic needs or operational issues through administrative or legislative solutions.</p> <p><b>COMMUNICATION:</b> Independently prepare memoranda to colleagues and/or supervisors seeking or providing advise, recommendations, comments, etc. At the direction of, or in coordination with the Chief Counsel and/or Deputy Chief Counsel prepare corrections to outside entities (e.g., clients, opposing counsel or other interested parties, such as the Legislature, high level governor appointees, constitutional officers or their designee, and/or the general public.) Prepare written outlines to ensure complete, accurate and effective oral presentations (e.g., for client meetings, court appearances and depositions.) Orally communicate with colleagues and supervisors regarding procedural and substantive case issues, strategy/tactics, court decisions, new legislation, office policies and client relations. Orally communicate with clients, potential clients, and/or witnesses regarding a case or matter. Work at this level may require oral communication with the Legislature, high level governor appointees, constitutional officers or their designee and/or the general public.</p> <p><b>REPRESENTATION:</b> Consult with and advise client on strategic, legal risk management or operational issues, identification of administrative or legislative solutions.</p> <p><b>LEADERSHIP:</b> Act in a lead capacity over other professional staff who litigate and negotiate cases to protect the legal interests of the Department and reduce legal risk utilizing oral and written advocacy skills, interpersonal skills, negotiation skills, personal knowledge, relevant training, laws, regulations and Departmental policies and practices. May serve as a team leader or mentor over a small group of attorneys or other legal staff.</p>
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30%	E	<p><b>ANALYSIS:</b> Analyze a case file (e.g., investigative reports, discovery materials, correspondence, administrative record, trial or deposition transcripts) and identify issues raised to determine the appropriate further action. Analyze legal authorities to determine their applicability to a particular and and/or statute, policy or issue. Analyze, review or draft terms and conditions of contracts and proposed amendments to contracts and suggest changes as appropriate.</p> <p><b>RESEARCH:</b> Research statutes, regulations, court decisions, administrative board decisions and other legal authorities pertinent to a particular case or issue, using both text and computer-based resources to provide legal advice and advocacy for the Department. Verify law cited in any written work is valid authority, using both text and computer-based resources.</p> <p><b>DISCOVERY:</b> Independently coordinate production of discoverable documents or declarations to litigation discovery requests to provide legal representation and advocacy for the Department. Analyze documents responsive to litigation discovery requests to determine any applicable privileges and objections to provide legal representation and advocacy for the Department utilizing appropriate oral and written communication and skills.</p> <p><b>DOCUMENT PREPARATION:</b> Independently prepare litigation, transactional and advisory documents, including motions, briefs, memoranda, settlement agreements, reports, letters, procurement documents, contracts and other legal documents to provide legal advice to the advocacy for the Department using appropriate written communication skills and ethical considerations. Edit written work (e.g., for content, tone organization, grammar and format) to produce a final version. Prepares and tries the most difficult and complete cases in trial courts, including tort claims or lawsuits, condemnation and inverse condemnation actions, construction contract claims, environmental lawsuits or other cases arising out of the work of the Department. Represent the Department at exceptionally difficult and complex hearings to protect the legal interests of the Department and reduce legal risk utilizing oral and written and advocacy skills, interpersonal skills, negotiation skills, personal knowledge, relevant training, laws, regulations and Departmental policies and practices. Consult with client in a pending matter or case in order to develop a strategy, prepare witnesses or review evidence. Conduct depositions, settlement negotiations, trials, or other civil, criminal or administrative proceedings. Take the lead in selecting and/or preparing witnesses for depositions, trials or administrative hearings.</p> <p><b>ETHICS:</b> Maintain compliance with applicable ethical and professional standards while providing legal representation and advocacy for the Department.</p>
10%	E	OTHER SPECIAL PROJECTS AS REQUESTED
5%	M	<p><b>TIME MANAGEMENT:</b> Use appropriate time management methods to ensure work is completed properly and on time (e.g., calendaring, monitoring the status of all assignments and anticipated future tasks.) Responsible for ensuring office, case files and calendars are kept in an organized manner to promote professional and efficient work habits.</p>
5%	E	<p><b>EDUCATION:</b> Keep current on developments in particular areas of law in order to acquire and/or maintain knowledge (e.g., membership in Bar associations, subscription to magazines, forums). Take the lead in the development of Departmental training by creating and reviewing Departmental training materials to provide legal advice and advocacy for the Department using appropriate oral and written communication skills and ethical considerations.</p>

<sup>1</sup>ESSENTIAL FUNCTIONS are the core duties of the position that cannot be reassigned.

MARGINAL FUNCTIONS are the minor tasks of the position that can be assigned to others.

**SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS**

None. There is functional direction over Legal Secretaries and other clerical support staff. The Attorney V may also act in a lead capacity for other attorneys.

**KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS**

**KNOWLEDGE OF:** Legal principles and practices with particular reference to the law of eminent domain, public tort liability, contracts and laws governing public officers and agencies. State Contract Act and the statutes and constitutional provisions governing the organization and conduct of the work of the Department; law relating to public highways; Federal Highways Act and other Federal aid statutes relating to highways; California law relating to acquisition, financing administration and construction of toll bridges; law governing the relations of the Department with public utilities and public agencies; trial and appellate court procedure and of the rules of evidence; methods used in appraising real property and of the problems involved in negotiating for rights of way; and safety, health, affirmative action and labor relations, and the processes available to meet these

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program objectives.

ABILITY TO: Prepare and conduct actions and proceedings before courts and administrative bodies; analyze and appraise legal problems and apply legal principles and precedents to particular sets of facts; plan and direct a program of complex legal work and direct the work of assistants; write clear and concise reports and opinions and dictate difficult legal correspondence; present oral statements of fact, law and argument clearly and logically; maintain the confidence and respect of members of the legal profession and other persons; and effectively contribute to the Department's safety, health, affirmative action and labor relations objectives.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

Errors at this level can have far reaching consequences that could impact substantial numbers of California residents, impact federal and/or local financial, legal or policy issues, state fiscally and/or lead to loss of credibility with the courts, other public agencies and the public.

PUBLIC AND INTERNAL CONTACTS

The incumbent must consult with all levels of staff in the Legal Division and other internal programs; have a wide variety of contacts with court staff, judges, Departmental staff, private industry, Legislature, high level governor appointees, constitutional officers, or their designee, and/or the general public, which requires diplomacy, tact and professionalism.

PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

Must be able to work appropriately and effectively under stress, manage complex and varied workload and meet deadlines. Ability to work on a keyboard, manual dexterity; sitting for long periods; develop and maintain cooperative working relationships; ability to focus for long period of time. Requires occasional bending, stooping and kneeling.

WORK ENVIRONMENT

This position may be eligible for telework. The amount of telework is at the discretion of the Department and based on Caltrans's evolving telework policy. Caltrans supports telework, recognizing that in-person attendance may be required based on operational needs. Employees are expected to be able to report to their worksites with minimum notification if an urgent need notification if an urgent need arises. The selected candidate will be required to commute to the headquartered location as needed to meet operational needs. Business travel may be required, and reimbursement considers an employee's designated headquartered location, primary residence, and may be subject to CalHR regulations or applicable bargaining unit contract provisions. All commute expenses to the headquartered location will be the responsibility of the selected candidate.

I have read, understand and can perform the duties listed above. (If you believe you may require reasonable accommodation, please discuss this with your hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

I agree that by providing my electronic signature for this form, I agree to conduct business transactions by electronic means and that my electronic signature is the legal binding equivalent to my handwritten signature. I hereby agree that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

EMPLOYEE (Print)

EMPLOYEE (Signature)

DATE

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

SUPERVISOR (Print)

SUPERVISOR (Signature)

DATE