

**DEPARTMENT OF JUSTICE
CIVIL LAW DIVISION
TORT & CONDEMNATION SECTION**

JOB TITLE: Senior Legal Analyst

GENERAL STATEMENT:

The Tort and Condemnation Section practices civil litigation. It defends the state and its agencies, departments, and employees in civil actions brought in federal and state courts for personal injury, wrongful death, property damage, and civil-rights claims. The section also prosecutes matters relating to the acquisition of real property for public purposes under the state's power of eminent domain, defends inverse condemnation actions initiated by private property owners seeking compensation for a taking of or damage to the owner's real property, and defends mass tort actions against the state and its agencies and departments arising out of events such as floods, earthquakes, and fires. The section also handles factually and legally complex construction arbitration and litigation cases that frequently involve multi-million dollar claims. The Tort and Condemnation Section serves as civil litigation attorneys for most state agencies and departments. Deputies in the section litigate cases through trial and appeal in state and federal court.

Senior Legal Analysts are very experienced paralegals who provide high-level paralegal support to attorneys in the section, and do other related work. They perform the most difficult and complex paralegal duties which are analytical in nature, and also provide consultative services to management and others. They successfully manage a challenging workload, and produce the highest quality work product, sometimes under tight deadlines. Senior Legal Analysts exercise a high degree of independence and work under the general direction of attorneys, who have ultimate professional responsibility for the work.

SUPERVISION/OVERSIGHT RECEIVED: Senior Legal Analysts are supervised by a Supervising Deputy Attorney General and the Senior Assistant Attorney General. In specific assignments, Senior Legal Analysts work under the general direction and oversight of attorneys in the section.

OVERSIGHT EXERCISED: Senior Legal Analysts may oversee/review the work of Legal Assistants and Legal Analysts.

TYPICAL PHYSICAL DEMANDS:

- May be required to sit up to six to eight hours on a daily basis, often while using a computer to do research, draft documents, and perform other duties.
- Be able to travel out-of-town for work-related purposes (including overnight travel), sometimes for extended periods of time and sometimes to remote areas.
- Be able to lift/move up to 25 pounds of books, legal files, exhibits, and/or equipment.

TYPICAL WORKING CONDITIONS:

- While working in the office, works in an enclosed office or a cubicle in a smoke-free environment.
- While teleworking, works in compliance with the office's Telework Program Policy and Procedural Guide, the Exceptional Telework Request Procedures, the Legal Division Teleworking Expectations memorandum, and their section policies.

DUTIES (Essential Functions)

- 20% Under the general supervision of an attorney, handles coordination and case management of various civil lawsuits and actions; prepares case intake documentation, including case summaries; reviews and analyzes case referrals; researches case law, statutes and procedures related to initial case review; opens and closes cases in ProLaw following section protocols; interacts with client agencies as to sufficiency of evidence and documentation; makes specific proposals to assigned attorney for rectifying problem areas; discusses strategies and proposals with assigned attorney and informs clients of the attorney's recommendations; determines what evidence needs to be obtained to effectively defend the case and subpoenas the requisite documents (which include, but are not limited to, medical records, employment records, workers' compensation records, police reports, autopsy reports, and court records); utilizes the Internet and Westlaw to locate witnesses and determine ownership of property; prepares questions and interviews witnesses; drafts witnesses' statements in the form of declarations for attorney review; reviews documents to ascertain all the legal and factual issues to be addressed; and independently drafts responsive pleadings for attorney review.
- 20% Under the general supervision of an attorney, independently prepares discovery requests for attorney review and propounds discovery requests; reviews and analyzes discovery requests to determine which documents or questions are confidential or protected by attorney-client and/or work-product privilege; prepares privilege logs; contacts clients to gather information and documents to accurately respond to discovery requests; coordinates handling and exchange of electronic media; coordinates with litigation support to create search terms and algorithms for searching electronic evidence; reviews client documents; Bates numbers, tags, sorts, organizes, and redacts documents using programs such as Relativity and Adobe; analyzes documents to determine which can be produced and prepares a list for production; independently prepares discovery responses for attorney review; prepares motions to compel discovery and other discovery-related motions and oppositions for attorney review; schedules and prepares notices for depositions; summarizes deposition transcripts for use in summary judgment motions and for trial preparation; summarizes medical records and analyzes the contents for past and present medical conditions as they relate to the allegations in the case.
- 20% Under the general supervision of an attorney, identifies legal issues that need to be researched; performs legal research and/or computerized legal research of case law,

statutes, regulations, procedures, and court rules; uses resources such as the brief bank, Westlaw, CD Rom, Government Tort Liability Practice, and other resource books; after researching the issues, prepares the statement of the case, statement of facts and arguments for the attorney's review and signature; drafts documents for attorney review including, but not limited to, declarations, stipulations, demurrers, motions to dismiss, oppositions to file late claims, motions to quash, motions to compel, motions to consolidate and designate complex litigation, motions for change of venue, motions for judgment on the pleadings, motions for summary judgment, demands for exchange of experts, orders after hearings, protective orders, judgments, and various oppositions to motions.

- 10% Under the supervision of an attorney, contacts outside investigators, prepares contracts for investigators, supplies investigators with all pertinent information to enable them to perform an investigation, follows up with each investigator with regard to their findings, and reports all findings of fact to the attorney(s) assigned to the case; locates and contacts expert witnesses, obtains the experts' current Curriculum Vitae, coordinates the exchange of documents with experts, and prepares contracts for experts; maintains spreadsheet of balances on expert/vendor contracts and provides contract information as needed for fiscal monitoring; processes vendor/expert invoices for payment.
- 10% Under the general supervision of an attorney, participates in trial and hearing preparation in major litigation; prepares witness lists, exhibit lists, trial binders, jury instructions, verdict forms, motions in limine, and exhibits for trial and/or hearing; coordinates witness appearances at trial, prepares subpoenas and supporting affidavits, obtains witness fees, arranges for witness accommodations, schedules and serves subpoenas on witnesses, and participates in witness preparation; during trial, assists the attorney in choosing the jury, monitoring exhibits, noting objections raised and their status as to being sustained or overruled by the court, maintains exhibits and documents, and assists in the electronic display of exhibits; performs research on issues arising during trial; prepares documents for court on a day-to-day basis during trial, trouble shoots and problem-solves for the attorney and assists attorneys at trial, as needed.
- 10% Performs various administrative tasks including: enters time in ProLaw promptly, accurately, and completely; timely records leave in Workday; timely requests approval to take leave; timely calendars leave; completes mandatory training and takes advantage of the office's optional training opportunities; provides mentoring and training to less-experienced paralegals; participates in the hiring of paralegals as requested; attends section meetings; effectively uses video-conferencing and other work-related technology.
- 5% Maintains calendar; calendars case-related deadlines; uses computerized information systems, including but not limited to Relativity, Case Map, Time Map, Real Legal Binder, E-Transcript binder, Westlaw, civil brief bank, and public records databases.

- 5% Handles Service Deputy duties, including receiving or refusing papers delivered to the Office of the Attorney General; under general supervision of the Supervising Deputy Attorney General, represents the State of California and its agencies in small claims court; coordinates, delegates tasks to, and supervises Student Paralegal Interns; and coordinates management of section equipment.

KNOWLEDGE AND SKILLS REQUIRED TO PERFORM THE DUTIES OF THE POSITION

- Knowledge of: (a) the areas of the law handled by the section, (b) court and administrative agency practices and procedures, and (c) the Department of Justice policies, procedures, and guidelines.
- Knowledge of: (a) basic legal concepts, terminology, principles, and procedures, (b) the obligation to protect confidential or privileged information from disclosure (e.g., the attorney-client privilege), and (c) the use of legal reference materials.
- Ability to reason logically, analyze situations accurately, and recommend an effective course of action.
- Ability to read and understand statutes, court decisions, legal documents, and similar material.
- Ability to efficiently conduct legal research (including through use of online resources), and to prepare documents setting forth: (a) a statement of the facts, (b) applications of the relevant law, and (c) conclusions.
- Ability to draft legal documents (e.g., pleadings, interrogatories, motions).
- Ability to write effectively and to efficiently produce work product (e.g., memoranda, reports, deposition summaries, legal documents), sometimes under tight deadlines.
- Ability to effectively use ProLaw, database applications, and other software to manage cases, documents, and evidence, including cases with voluminous documents.
- Ability to efficiently conduct public record and internet research.
- Ability to communicate clearly and effectively both verbally and in writing.
- Ability to efficiently manage a challenging workload by, among other things, prioritizing tasks and handling several tasks and deadlines simultaneously.
- Ability to exercise good judgment and to work collaboratively, professionally, and ethically with co-workers, other colleagues, supervisors, managers, administrative staff, clients, opposing counsel, court staff, public officials, and representatives of public agencies.
- Ability to effectively use video-conferencing and other work-related technology.
- Ability to effectively use ProLaw to produce reports and ensure prompt and accurate billing to clients, and to effectively use Workday.

I have read and understand the essential functions and typical physical demands required of this job (please check one of the boxes below regarding a Reasonable Accommodation):

☐ I am able to complete the essential functions and typical physical demands of the job without a need for a reasonable accommodation.

☐ I am able to complete the essential functions and typical physical demands of the job, but will require a reasonable accommodation. I will discuss my reasonable accommodation request with my supervisor.

☐ I am unable to perform one or more of the essential functions and typical physical demands of the job, even with a reasonable accommodation.

☐ I am not sure that I will be able to perform one or more of the essential functions and typical physical demands of the job, and will discuss the functional limitations I have with my supervisor.

Employee's Signature & Date

Supervisor's Signature & Date

Typed or Printed Name

Typed or Printed Name

**DEPARTMENT OF JUSTICE
CIVIL LAW DIVISION
TORT & CONDEMNATION SECTION**

JOB TITLE: Legal Analyst

GENERAL STATEMENT:

The Tort and Condemnation Section practices civil litigation. It defends the state and its agencies, departments, and employees in civil actions brought in federal and state courts for personal injury, wrongful death, property damage, and civil-rights claims. The section also prosecutes matters relating to the acquisition of real property for public purposes under the state's power of eminent domain, defends inverse condemnation actions initiated by private property owners seeking compensation for a taking of or damage to the owner's real property, and defends mass tort actions against the state and its agencies and departments arising out of events such as floods, earthquakes, and fires. The section also handles factually and legally complex construction arbitration and litigation cases that frequently involve multi-million dollar claims. The Tort and Condemnation Section serves as civil litigation attorneys for most state agencies and departments. Deputies in the section litigate cases through trial and appeal in state and federal court.

Legal Analysts are experienced paralegals who provide paralegal support to attorneys in the section, and do other related work. They have the ability to capably perform routine paralegal duties, as well as more difficult and complex paralegal duties which are analytical in nature. They ably manage a challenging workload and produce high-quality work product, sometimes under tight deadlines. Legal Analysts exercise increasing independence and work under the general direction of attorneys, who have ultimate professional responsibility for the work.

SUPERVISION/OVERSIGHT RECEIVED: Legal Analysts are supervised by a Supervising Deputy Attorney General and the Senior Assistant Attorney General. In specific assignments, Legal Analysts work under the general direction and oversight of attorneys in the section. Senior Legal Analysts may also oversee/review the work of Legal Analysts.

OVERSIGHT EXERCISED: Legal Analysts may oversee/review the work of Legal Assistants.

TYPICAL PHYSICAL DEMANDS:

- May be required to sit up to six to eight hours on a daily basis, often while using a computer to do research, draft documents, and perform other duties.
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DUTIES (Essential Functions)

- 20% Under the general supervision of an attorney and exercising increasing independence, handles coordination and case management of various civil lawsuits and actions; prepares case intake documentation, including case summaries; reviews and analyzes case referrals; researches case law, statutes and procedures related to initial case review; opens and closes cases in ProLaw following section protocols; interacts with client agencies as to sufficiency of evidence and documentation; makes specific proposals to assigned attorney for rectifying problem areas; discusses strategies and proposals with assigned attorney and informs clients of the attorney's recommendations; determines what evidence needs to be obtained to effectively defend the case and subpoenas the requisite documents (which include, but are not limited to, medical records, employment records, workers' compensation records, police reports, autopsy reports, and court records); utilizes the Internet and Westlaw to locate witnesses and determine ownership of property; prepares questions and interviews witnesses; drafts witnesses' statements in the form of declarations for attorney review; reviews documents to ascertain all the legal and factual issues to be addressed; and independently drafts responsive pleadings for attorney review.
- 20% Under the general supervision of an attorney and exercising increasing independence, prepares discovery requests for attorney review and propounds discovery requests; reviews and analyzes discovery requests to determine which documents or questions are confidential or protected by attorney-client and/or work-product privilege; prepares privilege logs; contacts clients to gather information and documents to accurately respond to discovery requests; coordinates handling and exchange of electronic media; coordinates with litigation support to create search terms and algorithms for searching electronic evidence; reviews client documents; Bates numbers, tags, sorts, organizes, and redacts documents using programs such as Relativity and Adobe; analyzes documents to determine which can be produced and prepares a list for production; prepares discovery responses for attorney review; prepares motions to compel discovery and other discovery-related motions and oppositions for attorney review; schedules and prepares notices for depositions; summarizes deposition transcripts for use in summary judgment motions and for trial preparation; summarizes medical records and analyzes the contents for past and present medical conditions as they relate to the allegations in the case.
- 20% Under the general supervision of an attorney and exercising increasing independence, identifies legal issues that need to be researched; performs legal research and/or

computerized legal research of case law, statutes, regulations, procedures, and court rules; uses resources such as the brief bank, Westlaw, CD Rom, Government Tort Liability Practice, and other resource books; after researching the issues, prepares the statement of the case, statement of facts and arguments for the attorney's review and signature; drafts documents for attorney review including, but not limited to, declarations, stipulations, demurrers, motions to dismiss, oppositions to file late claims, motions to quash, motions to compel, motions to consolidate and designate complex litigation, motions for change of venue, motions for judgment on the pleadings, motions for summary judgment, demands for exchange of experts, orders after hearings, protective orders, judgments, and various oppositions to motions.

- 10% Under the supervision of an attorney and exercising increasing independence, contacts outside investigators, prepares contracts for investigators, supplies investigators with all pertinent information to enable them to perform an investigation, follows up with each investigator with regard to their findings, and reports all findings of fact to the attorney(s) assigned to the case; locates and contacts expert witnesses, obtains the experts' current Curriculum Vitae, coordinates the exchange of documents with experts, and prepares contracts for experts; maintains spreadsheet of balances on expert/vendor contracts and provides contract information as needed for fiscal monitoring; processes vendor/expert invoices for payment.
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KNOWLEDGE AND SKILLS REQUIRED TO PERFORM THE DUTIES OF THE POSITION

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- Knowledge of: (a) basic legal concepts, terminology, principles, and procedures, (b) the obligation to protect confidential or privileged information from disclosure (e.g., the attorney-client privilege), and (c) the use of legal reference materials.
- Ability to reason logically, analyze situations accurately, and recommend an effective course of action.
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- Ability to efficiently manage a challenging workload by, among other things, prioritizing tasks and handling several tasks and deadlines simultaneously.
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Employee's Signature & Date

Supervisor's Signature & Date

Typed or Printed Name

Typed or Printed Name

**DEPARTMENT OF JUSTICE
CIVIL LAW DIVISION
TORT & CONDEMNATION SECTION**

JOB TITLE: Legal Assistant

GENERAL STATEMENT:

The Tort and Condemnation Section practices civil litigation. It defends the state and its agencies, departments, and employees in civil actions brought in federal and state courts for personal injury, wrongful death, property damage, and civil-rights claims. The section also prosecutes matters relating to the acquisition of real property for public purposes under the state's power of eminent domain, defends inverse condemnation actions initiated by private property owners seeking compensation for a taking of or damage to the owner's real property, and defends mass tort actions against the state and its agencies and departments arising out of events such as floods, earthquakes, and fires. The section also handles factually and legally complex construction arbitration and litigation cases that frequently involve multi-million dollar claims. The Tort and Condemnation Section serves as civil litigation attorneys for most state agencies and departments. Deputies in the section litigate cases through trial and appeal in state and federal court.

Legal Assistants provide paralegal support to attorneys in the section, and do other related work. They perform the less difficult and more routine paralegal duties, and manage an increasingly challenging workload. They also produce high-quality work product, sometimes under tight deadlines. Legal Assistants work under the immediate direction of attorneys, who have ultimate professional responsibility for the work.

SUPERVISION/OVERSIGHT RECEIVED: Legal Assistants are supervised by a Supervising Deputy Attorney General and the Senior Assistant Attorney General. In specific assignments, Legal Assistants work under the immediate direction and oversight of attorneys in the section. Senior Legal Analysts and Legal Analysts may also oversee/review the work of Legal Assistants.

OVERSIGHT EXERCISED: None.

TYPICAL PHYSICAL DEMANDS:

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- 20% Under the general supervision of an attorney and exercising increasing independence, identifies legal issues that need to be researched; under the direction of an attorney, performs legal research and/or computerized legal research of case law, statutes, regulations, procedures, and court rules; uses resources such as the brief bank, Westlaw, CD Rom, Government Tort Liability Practice, and other resource books; after researching the issues, prepares the statement of the case, statement of facts and arguments for the attorney's review and signature; drafts documents for attorney review including, but not limited to, declarations, stipulations, demurrers, motions to dismiss, oppositions to file late claims, motions to quash, motions to compel, motions to consolidate and designate complex litigation, motions for change of venue, motions for judgment on the pleadings, motions for summary judgment, demands for exchange of experts, orders after hearings, protective orders, judgments, and various oppositions to motions.
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KNOWLEDGE AND SKILLS REQUIRED TO PERFORM THE DUTIES OF THE POSITION

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I have read and understand the essential functions and typical physical demands required of this job (please check one of the boxes below regarding a Reasonable Accommodation):

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Employee's Signature & Date

Supervisor's Signature & Date

Typed or Printed Name

Typed or Printed Name