



STATE OF CALIFORNIA

DUTY STATEMENT

CEC-004 (Revised 2/2022)

Classification: Attorney Supervisor

Position Number: 535-154-5749-001

Division/Office: Division of Petroleum Market Oversight

Collective Bargaining Identifier (CBID): S02

Work Week Group (WWG): SE

Effective Date: January 31, 2025

Conflict of Interest (COI): ☒ Yes ☐ No

If yes, 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, which identifies pertinent personal financial information.

Job Description

Under the general direction of the Director and the Chief of the Division of Petroleum Market Oversight (DPMO), the Attorney Supervisor functions as the Assistant Chief and works with a high level of independence and supervises the work of DPMO's Investigations and Industry Analysis Branch, which is composed of legal professionals. The incumbent may assist the Division Chief in planning, organizing, directing, and coordinating the work of the legal staff; acts for the Division Chief as needed; and regularly provides counsel to management and senior leaders within State government on matters of policy and procedure. The incumbent will supervise a group of attorneys who perform a wide variety of legal work, with varying levels of complexity, and will independently handle complex and sensitive legal cases.

The incumbent is responsible for the full range of duties of an Attorney Supervisor, including hiring staff; employee supervision, development, and training; development of strategy and tactics in the most complex disputes or litigation; and formal and informal aspects of the legislative and regulatory processes. The incumbent is also responsible for the administration of work processes and legal program functions relating to DPMO, such as reviewing business documents, contracts, requests, and services, as well as the administration of DPMO policies and procedures and appropriate statutory provisions of applicable California Codes and regulations.

Essential Duties

35% **Program Management/Oversight:** Plan, organize, coordinate, and direct the work of attorneys and analysts, including but not limited to the legal representation of DPMO,

review of the more complex substantive issues discussed below as well as analysis of corporate and other business entity documents and records and analysis of data and reports prepared by technical staff and by third parties. This is a working supervisor position and may also do any or all this work as well.

Evaluate the performance of subordinate staff and take or effectively recommend appropriate action; interview and select staff, assist in the development of training plans; train staff; conduct performance evaluations and work with staff to address areas of improvement. Monitors workload and maintains weekly and monthly statistics.

- 25% **Legal Review and Program Advisor:** Review the substantive legal analysis by subordinate attorneys regarding the operation of markets for transportation fuels in California and whether industry practices or conduct reflect market design flaws, market power abuses, and any other manner by which market participants act to harm competition or act contrary to the best interests of consumers in the state. This includes legal analysis of whether practices or conduct are or should be illegal under the laws governing antitrust violations, commodities manipulation, unfair competition, or other competition, consumer protection or regulatory statutes. Review documents drafted by subordinate attorneys, including correspondence with industry, state and federal government, and other stakeholders, subpoenas, briefs, motions, orders, resolutions, and comments on proposed decisions as well as draft legislation, regulations, and agreements. Duties encompass representing staff in Commission and other regulatory proceedings and in investigations, compliance, and enforcement matters; providing legal advice to staff on compliance with the Public Resources Code; preparing staff witnesses in administrative and legislative hearings and in state courts. Duties also include advising the Commission and its staff on rulemaking proceedings and overseeing data management efforts, including responding to Public Record Act requests, preparing responses to requests for confidentiality, and drafting non-disclosure agreements.
- 20% **Administrative Proceedings and Civil Litigation:** Draft the more difficult and important Commission legal or policy documents, including legislation, regulations, briefs, orders, and resolutions; confers with management on matters of policy and procedure. Participate in the most complex and sensitive Commission proceedings. As needed, represent DPMO in sensitive and complex administrative proceedings before other state and federal agencies. Represent DPMO in the more difficult and complex litigation in state and federal courts. Advise the DPMO Director, Division Chief, Commissioners, and the Executive Director on transportation-fuel-related aspects of Commission business.
- 10% Acts as part of the DPMO management team; serves as acting Division Chief in the Division Chief's absence. Provide legal advice and support to DPMO management and staff on records requests and correspondence. Coordinate divisional responses to subpoenas, as needed, which may involve directing staff to research and copy responsive documents, reviewing responsive records for compliance, writing affidavits, and communicating with court or subpoenaing attorneys.

Marginal Duties

10% Performs other duties as required, consistent with the specifications of the classification.

Working Conditions

The California Energy Commission offers a hybrid workplace model that is designed to support a distributed workforce of both office-based and remote-centric workers that relies on a high level of telework. Occasional travel may be required based on the needs of the office. Regular and consistent attendance - whether office-based or remote-centric - is essential to the successful performance in this position. This position is remote centered which means the incumbent works 50 percent or more of their time monthly from an alternate work location (i.e., teleworking).

Diversity and Inclusion Statement

Serving all Californians, the CEC embodies diversity, equity, and inclusion, and has taken an active and meaningful role in creating an environment that enables each employee to thrive.

Employee's Acknowledgement: I certify that I am able to perform, with or without the assistance of a reasonable accommodation, the essential duties of this position.

Employee's Name (Print): _____

Employee's Signature: _____ **Date:** _____

Supervisor's Acknowledgment: I certify this duty statement represents a current and accurate description of the essential functions of this position. I have discussed the duties of this position with and provided the above-named employee a copy of this duty statement.

Supervisor's Name (Print): _____

Supervisor's Signature: _____ **Date:** _____