

**ATTORNEY
STATE PERSONNEL
BOARD
Duty Statement**

Employee Name Vacant	Classification title Attorney IV	Position Number 590-202-5795-002
Division/Unit Legal Division	Effective Date	Prior Pos #(if applicable)

Under the general direction and supervision of the Chief Counsel, Legal Division, the Attorney IV position ("Attorney") is responsible for a wide range of legal work involving legal research, legal writing, advocacy practice before administrative tribunals and courts, and advisory work for the State Personnel Board (SPB) and its staff.

Description of the Essential Functions

- 25% Represent the SPB in administrative and civil proceedings before administrative tribunals and state and federal courts in all matters including the most complex cases. Analyze legal issues presented in the proceedings involving the SPB, conduct legal research, draft pleadings, motions, and briefs as may be necessary. Conduct and respond to discovery. Litigate complex administrative and civil proceedings in hearings, trials, and appeals.
- 20% Review, analyze, and prepare decisions on requests for approval of cost-savings contracts and challenges of contracts under Government Code section 19130, *et seq.* Review, analyze, and prepare decisions on requests for further order under Government Code section 18710. Review, analyze, and prepare decisions on requests for civil service examinations under California Code of Regulations, title 2, section 211. Defend the Executive Officer's decisions on section 211 petitions at administrative hearings.
- 20% Review and respond to requests for public records made under the California Public Records Act. This includes working with other divisions within SPB to identify potentially responsive records, reviewing the records to ensure they are subject to disclosure, withholding or redacting items exempt from disclosure. Review, analyze, and approve or reject settlements of disciplinary actions submitted to the Board. Review and respond to *Pitchess* motions and subpoenas. Assist the Executive Officer, Chief Counsel, and other divisions within the SPB in compiling data and drafting reports to the Board and the Governor.
- 20% Review and analyze proposed decisions on disciplinary and merit appeals submitted by Administrative Law Judges, Hearing Officers, and other staff to determine its legal sufficiency, supportability, and policy implications. Prepare memoranda concisely summarizing the

salient factual and legal issues on matters that are on the agenda for the Board's review and consideration and make recommendations where necessary. Prepare Board decisions, resolutions, and orders consistent with the Board's directive on all matters including the most complex cases. Prepare open and closed-session minutes. Provide advice to Board members and SPB staff on requirements under the Bagley-Keene Open Meeting Act.

- 10% Coordinate with other divisions within the SPB to identify possible need for regulations concerning matters within SPB's jurisdiction. Draft SPB-related regulations and handle the necessary process to ensure the adoption of the regulations. Review and analyze proposed legislation affecting SPB's jurisdiction and/or operations. Prepare analyses on legislative bills for submission to the Governor's Office. Prepare advisory memoranda on legal issues pertinent to SPB's operation as directed by the Chief Counsel.
- 5% Provide legal research and support to the Executive Officer, Chief Counsel, and other divisions within the SPB as may be required.

Supervision Received

The Attorney receives direct supervision from the Chief Counsel.

Supervision Exercised

The Attorney may act as a lead for Graduate Legal Assistants, Law Clerks, Legal Analysts, and Legal Assistants.

Administrative Responsibility

The Attorney may, on occasion, be required to file pleadings and other related documents directly with the court or administrative tribunals.

Personal Contacts

The Attorney will have regular contact with the SPB Executive team, SPB Management team, SPB employees, Agency/Departmental representatives, Union/Labor Organizations representatives, members of the public, and news organizations. The Attorney must be ethical, diplomatic, organized, professional, and exercise impeccable judgment and discretion when interacting with others.

Desirable Qualifications

The Attorney must be an active member of the State Bar of California. The Attorney is expected to have exceptional analytical and writing abilities. The Attorney should have litigation experience either before administrative tribunals or state and/or federal courts. It is strongly preferred the Attorney is knowledgeable of and has experience related to the State Civil Service Act, California Public Records Act, and public open meeting laws.

Physical Requirements

This position requires extensive use of a computer and telephone, legal software, and other office programs and technologies (Word for processing; Outlook for email and calendaring, TEAMS, etc.; Westlaw, among others).

Typical Working Conditions

Requires prolonged sitting and using computer and telephone. Performing legal research on Westlaw and other resources. Drafting documents using Word, communicating on TEAMS and/or through emails. Attending meetings in person and/or remotely. The Attorney should be visible in remote meetings or court appearances and must wear appropriate attire for the meeting or court appearances.

Assignments may frequently have a short turn-around time so the Attorney must work well under pressure, meeting multiple and sometimes conflicting deadlines. Some travel may be required for appearances before administrative tribunals or courts.

Telework is available subject to the limitations provided in the Telework Policy and other statewide directives.

Acknowledgements

The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It is not an all-inclusive listing of all duties and requirements for the position. Individuals may perform other duties, as assigned, including work in other functional areas.

I have read and understand the duties assigned. Furthermore, I can perform these duties with or without reasonable accommodation.

Employee's Name

Employee's Signature

Date

Supervisor's Name

Supervisor's Signature

Date

**ATTORNEY
STATE PERSONNEL
BOARD
Duty Statement**

Employee Name Vacant	Classification title Attorney III	Position Number 590-202-5795-002
Division/Unit Legal Division	Effective Date	Prior Pos #(if applicable)

Under the general direction and supervision of the Chief Counsel, Legal Division, the Attorney III position ("Attorney") is responsible for a wide range of legal work involving legal research, legal writing, advocacy practice before administrative tribunals and courts, and advisory work for the State Personnel Board (SPB) and its staff.

Description of the Essential Functions

- 20% Represent the SPB in administrative and civil proceedings before administrative tribunals and state and federal courts in all matters. Analyze legal issues presented in the proceedings involving the SPB, conduct legal research, draft pleadings, motions, and briefs as may be necessary. Conduct and respond to discovery. Litigate complex administrative and civil proceedings in hearings, trials, and appeals.
- 20% Review, analyze, and prepare decisions on requests for approval of cost-savings contracts and challenges of contracts under Government Code section 19130, *et seq.* Review, analyze, and prepare decisions on requests for further order under Government Code section 18710. Review, analyze, and prepare decisions on requests for civil service examinations under California Code of Regulations, title 2, section 211. Defend the Executive Officer's decisions on section 211 petitions at administrative hearings.
- 20% Review and respond to requests for public records made under the California Public Records Act. This includes working with other divisions within SPB to identify potentially responsive records, reviewing the records to ensure they are subject to disclosure, withholding or redacting items exempt from disclosure. Review, analyze, and approve or reject settlements of disciplinary actions submitted to the Board. Review and respond to *Pitchess* motions and subpoenas. Assist the Executive Officer, Chief Counsel, and other divisions within the SPB in compiling data and drafting reports to the Board and the Governor.
- 20% Review and analyze proposed decisions on disciplinary and merit appeals submitted by Administrative Law Judges, Hearing Officers, and other staff to determine its legal sufficiency, supportability, and policy implications. Prepare memoranda concisely summarizing the

salient factual and legal issues on matters that are on the agenda for the Board's review and consideration and make recommendations where necessary. Prepare Board decisions, resolutions, and orders consistent with the Board's directive. Prepare open and closed-session minutes. Provide advice to Board members and SPB staff on requirements under the Bagley-Keene Open Meeting Act.

- 15% Coordinate with other divisions within the SPB to identify possible need for regulations concerning matters within SPB's jurisdiction. Draft SPB-related regulations and handle the necessary process to ensure the adoption of the regulations. Review and analyze proposed legislation affecting SPB's jurisdiction and/or operations. Prepare analyses on legislative bills for submission to the Governor's Office. Prepare advisory memoranda on legal issues pertinent to SPB's operation as directed by the Chief Counsel.
- 5% Provide legal research and support to the Executive Officer, Chief Counsel, and other divisions within the SPB as may be required.

Supervision Received

The Attorney receives direct supervision from the Chief Counsel.

Supervision Exercised

The Attorney may act as a lead for Graduate Legal Assistants, Law Clerks, Legal Analysts, and Legal Assistants.

Administrative Responsibility

The Attorney may, on occasion, be required to file pleadings and other related documents directly with the court or administrative tribunals.

Personal Contacts

The Attorney will have regular contact with the SPB Executive team, SPB Management team, SPB employees, Agency/Departmental representatives, Union/Labor Organizations representatives, members of the public, and news organizations. The Attorney must be ethical, diplomatic, organized, professional, and exercise impeccable judgment and discretion when interacting with others.

Desirable Qualifications

The Attorney must be an active member of the State Bar of California. The Attorney is expected to have exceptional analytical and writing abilities. The Attorney should have litigation experience either before administrative tribunals or state and/or federal courts. It is strongly preferred the Attorney is knowledgeable of and has experience related to the State Civil Service Act, California Public Records Act, and public open meeting laws.

Physical Requirements

This position requires extensive use of a computer and telephone, legal software, and other office programs and technologies (Word for processing; Outlook for email and calendaring, TEAMS, etc.; Westlaw, among others).

Typical Working Conditions

Requires prolonged sitting and using computer and telephone. Performing legal research on Westlaw and other resources. Drafting documents using Word, communicating on TEAMS and/or through emails. Attending meetings in person and/or remotely. The Attorney should be visible in remote meetings or court appearances and must wear appropriate attire for the meeting or court appearances.

Assignments may frequently have a short turn-around time so the Attorney must work well under pressure, meeting multiple and sometimes conflicting deadlines. Some travel may be required for appearances before administrative tribunals or courts.

Telework is available subject to the limitations provided in the Telework Policy and other statewide directives.

Acknowledgements

The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It is not an all-inclusive listing of all duties and requirements for the position. Individuals may perform other duties, as assigned, including work in other functional areas.

I have read and understand the duties assigned. Furthermore, I can perform these duties with or without reasonable accommodation.

Employee's Name

Employee's Signature

Date

Supervisor's Name

Supervisor's Signature

Date