☒Current ☐Proposed

STATE OF CALIFORNIA
CALIFORNIA VICTIM COMPENSATION BOARD
Rev. 04/22

DUTY STATEMENT

EMPLOYEE VACANT		RPA # / JOB CONTROL # JC-509932	
POSITION NUMBER 040-120-5795-xxx	CLASSIFICATION Attorney III	WORKING TITLE Senior Attorney	
DIVISION Legal, Appeals & Probate	SECTION Legal	CBID R02	WWG 2
WORK DAYS Monday through Friday	WORK HOURS Supervisor Discretion	TENURE Permanent	TIME BASE Full Time

CONFLICT OF INTEREST CLASSIFICATION

This position is designated under the Conflict-of-Interest Code and 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 a Form 700 within 30 days of appointment. Failure to comply with the Conflict-of-Interest Code requirements may void the appointment.

Conflict of Interest Classification? ☒ Yes ☐ No

DEPARTMENT OVERVIEW

The California Victim Compensation Board (CalVCB) is a state program dedicated to provide financial assistance to victims of crime and help them restore their lives. At CalVCB, we work to reduce the impact of crime of victims' lives. We reimburse crime-related expenses, connect victims with services and support, and do all we can to inform and empower victims.

Our Mission: CalVCB is a trusted partner in providing restorative financial assistance to victims of crime.

Our Vision: CalVCB helps victims of crime restore their lives.

EMPLOYEE ACKNOWLEDGEMENT

I have read and understand the duties of this position and certify I possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties as described above 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 Office of Civil Rights).

EMPLOYEE'S NAME (Print) VACANT	EMPLOYEE'S SIGNATURE	DATE

SUPERVISOR ACKNOWLEDGEMENT

I certify this duty statement represents a current and accurate description of the essential job functions of this position. I have discussed the duties of this position with the employee and provided the employee a copy of this duty statement.

SUPERVISOR'S NAME (Print)	SUPERVISOR'S SIGNATURE	DATE

DUTY STATEMENT

(REV. 04/22)

GENERAL STATEMENT

Under the general direction of the Attorney Supervisor, the Attorney III advises on complex and sensitive legal matters affecting CalVCB and effectively performs the more difficult and complex litigation and investigations, hearings, negotiations, and legal research for CalVCB with minimal supervision, broad discretion, and independence. The Attorney III utilizes appropriate oral and written advocacy skills, interpersonal skills, negotiation skills, personal knowledge, training, rules, laws, regulations, legal practices, and CalVCB policies and practices consistent with the direction of the Chief Counsel to perform essential functions.

PERCENTAGE OF TIME SPENT	DUTIES
%	**ESSENTIAL JOB FUNCTIONS**
55%	**LITIGATION**: **Victim Compensation Appeals**: Reviews incoming claims to ensure compliance with statutory and procedural requirements, including jurisdictional issues, and seeks guidance from the Attorney Supervisor on the evolving legal landscape governing appeals. Conducts legal analysis and review of complex legal issues, records and briefs, and drafts legal memoranda addressing challenging and novel legal issues that contribute to the development of California law. Presides over hearings involving the most complex and sensitive issues presented to CalVCB, including appeals from denials of victim compensation applications under the California Government Code. Reviews case records, legal arguments, and evidentiary materials submitted by applicants and opposing parties to determine the legal and factual merits of each case. Presides over administrative hearings as the Hearing Officer and prepares clear, well-reasoned proposed decisions that address disputed issues, apply statutory and regulatory law, and are consistent with CalVCB policies and precedents for presentation to, consideration and adoption of by the three-member Board. Interprets and applies provisions of the Government Code and related statutes, regulations, and case law to factually and legally intricate matters. Interfaces with applicants, attorneys, and representatives during hearings to ensure fair and efficient proceedings, including the resolution of procedural and evidentiary issues.
35%	**LEGAL ADVICE/SUPPORT**: **Litigation Oversight:** Provides technical legal assistance and works with the assigned Deputy Attorney General in the representation of CalVCB in litigation filed against the department, including petitions for writ of mandate and issues involving subpoenas and the disclosure of CalVCB records. Perform legal research, assist with discovery responses, assemble the administrative record and monitor cases in litigation.

	Identifies emerging legal issues and trends through hearings and decision-making, providing feedback that supports CalVCB in developing or updating policy guidance and procedures. Assists with the development and/or amendment of applicable regulations to ensure compliance and consistency with governing statutes. **Respond to PRA's, IPA's, and Subpoenas for Confidential Information**: Researches issues and makes recommendations pertaining to the disclosure of information and CalVCB constraints under the Public Records Act, the Information Practices Act and CalVCB's governing statutes. Responds to subpoenas received which request victim information, with an understanding of the complex and sensitive balance between victim confidentiality and a prosecutor's obligation to disclose exculpatory evidence. **Information Technology:** Provides technical legal advice to information technology staff and management, identifies potential legal issues/risks, and suggests solutions to prevent or mitigate risks in information security, confidentiality/data protection, and contracts for IT services. Provides legal support during any online or system modification projects. **Restitution Projects:** Acts as CalVCB's expert on the imposition of Restitution Fund fines and direct victim restitution orders and provides technical legal advice and training to deputy district attorneys, probation departments, and county officials on restitution. Assists CalVCB with requests for restitution refunds, including calculations and cooperation with the Department of General Services for any Government Claims filed requesting refunds. **Lien Overpayment Recovery Section**: Provides advice and guidance on liens and recovery of overpayments from victims who have obtained compensation through probate or from a third party in an amount sufficient to repay CalVCB. Attends bankruptcy or other proceedings when necessary to protect CalVCB's interests.
%	**MARGINAL JOB FUNCTIONS**
10%	**Other:** Provide assistance in all other matters falling within general counsel duties.

DESIRABLE QUALIFICATIONS

- Effectively operate a computer using the following software programs: Microsoft Word, Excel, Outlook, and Access.
- Ability to develop statistical data and evaluate results.
- Ability to apply and interpret policies, regulations, and laws.
- Ability to take and follow verbal or written direction from supervisors/managers.
- General knowledge of the VCP program to be able to establish program goals/objectives, identify/resolve program issues, etc.
- General knowledge of the formal and informal aspects of the legislative process in order to analyze proposed legislation impacting the department.
- General knowledge of the department's mission, goals and policies to ensure that the progress and completion of work assignments and tasks conform to the overall objectives of the unit and/or division.
- General knowledge of governmental functions and organization at the State and local level to maintain and foster a good working relationship with our clients.

PERSONAL CHARACTERISTICS AND EXPECTATIONS

- Demonstrated ability to act independently and as a member of a team with open-mindedness, flexibility, and tact.
- Ability to effectively handle stress and deadlines in a fast-paced work environment.
- Ability to problem-solve and use critical and creative thinking to effectively perform work.
- Display good interaction skills and the ability to deal professionally, congenially and in a personable manner with the public, other governmental entities, and staff at all levels.
- Communicate successfully in a diverse community as well as with individuals from varied backgrounds.
- Understand, follow and enforce all safety rules and procedures.
- Be supportive of management and coworkers.
- Maintain the confidence and cooperation of others.
- Ensure deadlines are met.
- Manage multiple & changing priorities.
- Maintain acceptable, consistent, and regular attendance.
- Develop and maintain knowledge and skill related to the job.
- Complete assignments in a timely and efficient manner.

KNOWLEDGE AND ABILITIES:
Knowledge of: Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.

Ability to: Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.

PHYSICAL ABILITIES

- Typical work requires prolonged sitting using a computer and telephone.
- Common eye, hand, and finger dexterity is required for most essential functions.
- Grasping and making repetitive hand movements in the performance of daily duties.
- Some carrying/moving of objects up to thirty pounds.