

POSITION DUTY STATEMENT

DFPI-HRO 203 (Rev. 08-21)



NAME	EFFECTIVE DATE
CLASSIFICATION TITLE Attorney III	POSITION NUMBER 410-130-5795-201
WORKING TITLE Senior Counsel	DIVISION/OFFICE/UNIT/SECTION Office of Financial Technology Innovation
BARGAINING UNIT R02	GEOGRAPHIC LOCATION Sacramento, Los Angeles, San Diego or San Francisco

General Statement: Under the general direction of the Deputy Commissioner of Office of Financial Technology Innovation (OFTI), the Attorney III is responsible for conducting engagement and providing thought leadership on new financial technologies and products, and conducting legal research into innovative technologies, financial products and services. The Attorney III makes recommendations for oversight of emerging products and services by conducting legal research and providing legal guidance on the laws under the Department’s jurisdiction, as well as doing so for established financial products and services. Duties include, but are not limited to, the following:

A. Specific Assignments [Essential (E) / Marginal (M) Functions]:

40% (E) Place emerging technologies, products, services and business models in context. Engage with and study financial technology and financial products and services. Make recommendations for the oversight, including regulation of financial products and services subject to the Department’s jurisdiction. Place emerging products in the context of existing laws, opinions, rules, orders, and actions. Review and analyze legal questions related to innovative financial products and services and the use of technologies in financial services. Provide guidance to foster responsible innovation in California. Perform legal research and analysis, draft reports, memos and legal opinions regarding all laws under the jurisdiction of the Department. Identify potential legal gaps, inconsistencies, or conflicts, and propose solutions. Analyze legislation, regulations, policies, and rulings affecting the Department. Research, develop, and write documents related to innovation in financial services.

40% (E) Provide thought leadership. Study new products, services, and technologies. Work with internal and external stakeholders to gather information on fintech innovation. This may be done by organizing meetings, conducting outreach, researching, investigating, studying or otherwise gathering information. The Senior Counsel must also be prepared to share the Department’s expertise with external parties and advise Executive Management on critical and time-sensitive

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legal and policy issues involving the application of the laws under the Department's jurisdiction to new technologies and business models. The Senior Counsel must stay apprised of developments across the financial industry, in addition to having deep knowledge and expertise about financial technology. Consult with and advise the Deputy Commissioner and others within DFPI on legal and policy issues.

15% (E) Identify trends, emerging opportunities and changes within the financial services ecosystem and advise OFTI and DFPI staff and others on same. Prepare and share recommendations about the oversight of financial products and services. Draft proposed revisions for all laws and regulations under the jurisdiction of the Department that impact innovative financial technologies, products and services.

5% (M) Performs other related duties as required.

B. Supervision Received

The Attorney III reports directly to the Deputy Commissioner of the Office of Financial Technology Innovation and is expected to carry out their duties under the direction of the Deputy Commissioner.

C. Supervision Exercised

None.

D. Administrative Responsibility

None.

E. Personal Contacts

The Attorney III must work daily across the organization via email, chat, Teams, virtual and in person meetings and other means to conduct the work of OFTI, including engaging with Legal, New Covered Persons, Legislative, External Affairs, Banking, Credit Unions, BDIA, CFL and other teams, as well as regularly engage with other governmental agencies (i.e., Local/federal/international,), the general public, DFPI Executive staff, and others in the California government. Occasional travel required.

F. Actions and Consequences

If the Attorney III does not do the required job, responsible innovation will not be supported, consumers may be harmed, and California jobs may be lost.

G. Functional Requirements

The incumbent works 40 hours per week in an office setting. Using a personal computer and telephone for research, meetings, and other job duties is required. The position requires bending and stooping to retrieve files, sitting and standing consistently with

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office work, and light lifting of no more than 25 lbs. Appearances in the DFPI offices may be required, as well as occasional overnight travel for DFPI, industry and other stakeholder events.

H. Other Information

Exercises good judgment in decision-making, exercises creativity and flexibility in problem identification and resolution, and manages time and resources effectively. Works well with others, under changing priorities, and work irregular hours when workload dictates. Regular attendance and punctuality are essential. Possesses excellent judgement, as well as written and verbal communication skills. As noted above, the incumbent may be required to travel occasionally.

CONFLICT OF INTEREST

This position is subject to Title 10, § 250.30 of the California Code of Regulations, the Department of Financial Protection and Innovation’s Conflict of Interest Regulations, the incumbent is required to submit a Statements of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st and within 30 days of leaving office.

FINGERPRINTING

Title 11, section 703 (d) of the California Code of Regulations requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance with DFPI’s (CORI) procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

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I have read and understand the duties listed above and I can perform these duties 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 Health & Safety analyst.)

Employee Signature

Date

Employee's Printed Name, Classification

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

Supervisor Signature

Date

Supervisor's Printed Name, Classification