

Duty Statement Rank & File

Proposed
 (Submit to HR for
 Review)
 Final

Print or type.
 See Specific Instructions on page 2.

A. Current Position Number 104-5795-009	B. Probationary Period /JEP Period 12 Months	
C. Incumbent Name Attorney III	D. Classification/Job Title Attorney III	E. Effective Date
F. Unit, Section, Division Legal Affairs Office/Executive		G. Location <input checked="" type="checkbox"/> Sacramento <input type="checkbox"/> Los Angeles
H. Name of Immediate Supervisor/Manager Janelle Callahan	I. Classification/Title of Immediate Supervisor/Manager Attorney Supervisor	
J. Bargaining Unit (CBID) <input checked="" type="checkbox"/> BU 2	K. Time Base <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Other	L. Tenure <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Permanent Intermittent <input type="checkbox"/> Limited Term <input type="checkbox"/> Intermittent <input type="checkbox"/> Other
M. Work Schedule Monday – Friday	N. Work Hours 8:00 a.m. – 5:00 p.m.	
O. Background Check Required <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	P. Job Requires Driving Automobile <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Q. Certification Required <input checked="" type="checkbox"/> Yes Active Membership in The State Bar of California <input type="checkbox"/> No

Section II **JOB DESCRIPTION**

Indicate the major functions and associated duties, and the percentage of time spent on each (list higher percentages first). Essential functions assigned less than 5% should be combined with other task statements. The total percentage of all functions, including marginal, must equal 100%.

DESCRIBE THE ORIGINAL SETTING AND MAJOR FUNCTIONS

The Legal Affairs Office provides legal support to the Secretary of State's office (SOS). Under the general direction of the Chief Counsel, Assistant Chief Counsel and Attorney Supervisors, the incumbent is responsible for providing legal advice and support to agency programs, Executive Staff and Division Chief(s) regarding the legal issues involving or affecting SOS. The incumbent works with broad discretion and independence with a minimum of supervision. The incumbent may act in a lead capacity over lower-level attorneys and may be tasked with acting as subject matter expert on certain legal issues. Duties may encompass the areas of complex legal review relating to various documents, analyses, contracts, requests and services, administrative and civil litigation, replevin of State property, providing legal advice, drafting legislation/regulations, and other related work including mentoring lower-level attorneys. The incumbent must exercise good judgment in advising all levels of staff on a variety of issues, ensuring that advice is consistent with applicable laws, rules, policies and procedures; and appropriately refers existing or potential problems or issues to the Chief Counsel, Assistant Chief Counsel and Division Chief(s). Works on Agency legal issues as directed by the Assistant Chief Counsel and/or Chief Counsel including but not limited to elections administration, political reform, business filings and programs, human resources, records management, contracts, etc.

ESSENTIAL FUNCTIONS

40%

Legal Review, Legal Program Advisor and Oversight:

Performs difficult and complex legal work on behalf of the Agency, including legal review of various documents and contracts, legal research and opinion drafting for the agency; responds to legal correspondence and develops and updates agency procedures and policies to ensure legal compliance. Provides legal support and advice to agency management and staff on matters related to the agency's functions, roles and responsibilities. Assist with procurement and issues relating to contracting, including negotiating and drafting procurement documents, reviewing and drafting contracts, representing the agency in protests, risk management, security, and intellectual property. Acts as liaison with Department of General Services, Department of Finance, Department of Technology, other departments and the Legislature as needed. (E)

30%

Administrative Proceedings and Civil Litigation:

Research applicable laws, rules and regulations in order to develop strategy and tactics in complex disputes and litigation; and provides legal advice to the Secretary of State, Chief Counsel, Assistant Chief Counsel, Attorney Supervisors, and Division Chiefs, management and staff regarding division and/or agency legal issues with general or statewide impact. May represent the agency in administrative proceedings before the Office of Administrative Hearings, California Department of Human Resources and the State Personnel Board. Assists the Attorney General's Office with interpretation of statutes, regulations, policies and procedures regarding SOS' authority and roles and responsibilities. Reviews complaints, motions, and other pleadings, assists in discovery and trial, including witness and expert preparation. Represents the Agency in litigation related to various programs. Coordinates with the Chief Counsel, Assistant Chief Counsel, and Attorney Supervisors to work with the Attorney General's Office for representation in litigation as needed. (E)

15%

Legislation and Regulations:

Develops, interprets and/or provides legal review of various documents or information such as statewide regulations, policies, procedures, contracts, Memorandums of Understanding, loan agreements, partnership agreements and other legal documents which may include but are not limited to manuals or correspondence received from other state or local agencies; works with state and local entities to ensure legal compliance with relevant laws, regulations, and policies as needed; drafts and reviews proposed legislative changes, makes recommendations regarding division-wide and statewide impacts, and testifies before legislative committees; prepares and reviews bill analyses to ensure they meet the standards of law and the agency, and prepares written or verbal comments for submission to the Legislature setting forth the position of the Secretary of State regarding proposed legislation.

10%

Document Production:

Reviews Public Records Act (PRA) requests, other public and legislative inquiries and the Agency's responses. Provides legal advice and support to Division management and staff on records requests and correspondence. Coordinates 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 the courts or subpoenaing attorneys. **(E)**

MARGINAL FUNCTIONS

5%

Legal Representation and Management Assistance:

Provides general legal advice relating to agency issues; assists with managing litigation, conducts outreach and performs general administrative responsibilities. Performs other duties as required. **(M)**

Section III**EMPLOYEE/SUPERVISOR STATEMENT**

You are a valued member of the Secretary of State's office. You are expected to conduct yourself professionally and work cooperatively with team members and others during the course of your duties to enable the department to provide the highest level of service possible. You are to adhere to all applicable state and federal laws, rules and department policies; and exercise good judgment in assisting team members and the public. Your efforts to treat others fairly, honestly and with respect are critical to the organization's mission and values.

EMPLOYEE'S STATEMENT: I HAVE READ AND UNDERSTAND THE DUTIES, RESPONSIBILITIES, AND PERFORMANCE EXPECTATIONS OF THE POSITION AND DISCUSSED WITH MY SUPERVISOR. I HAVE RECEIVED A COPY OF THE DUTY STATEMENT.

I CAN PERFORM THE ESSENTIAL FUNCTIONS OF THE POSITION WITH OR WITHOUT REASONABLE ACCOMMODATION:

- YES
 NO (Notice HR to discuss possible reasonable accommodation)

EMPLOYEE NAME (PRINT FULL NAME)	EMPLOYEE SIGNATURE	DATE SIGNED
➔	➔	➔

SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THIS POSITION WITH THE EMPLOYEE.

SUPERVISOR NAME (PRINT FULL NAME)	SUPERVISOR SIGNATURE	DATE SIGNED
➔	➔	➔