

Department of Consumer Affairs

Position Duty Statement

HR-41 (Revised 7/2015)

Classification Title	Board/Bureau/Division
Attorney IV	Legal Affairs Division (Division)
Working Title	Office/Unit/Section / Geographic Location
Attorney IV	Legal Affairs / Sacramento
Position Number	Name and Effective Date
610-210-5780-XXX	

General Statement: Under the general direction of an Assistant Chief Counsel (ACC), the Attorney IV performs the most sensitive and complex legal work, particularly involving the California State Board of Pharmacy and federal and state pharmacy law. Using broad discretion and working independently with minimal supervision, the Attorney IV provides professional legal services to the Department of Consumer Affairs, the Department’s most complex boards, bureaus and programs, and other state agencies, when requested. The Attorney IV must possess the ability to interact independently, professionally and courteously with all staff, including the Department’s boards, bureaus and programs while performing multiple tasks that often require stringent deadlines. The Attorney IV must have strong time-management skills and be available during core business hours (typically 8 a.m. – 5 p.m.) with the understanding that a typical work week is generally 40 hours, but may be more, or less, depending on operational needs and demands. Duties include, but are not limited to, the following:

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

35% Complex Legal Services (E)

Provides in-depth legal services to the more complex boards, bureaus, and/or programs within the Department, especially the California State Board of Pharmacy, the director, other units in the Department, and other state agencies, on matters that may include: thorough research and preparation of legal memoranda in rapidly-developing and complex practice areas, such as state and federal pharmacy and drugs laws, advising on and drafting novel and complex regulations, advising on and drafting novel and complex legislation, drafting and reviewing in-depth contracts, preparing enforcement documents, advising clients on complex conflicts of interest issues, and advising clients and the public on consumer issues.

25% Legal Consultation and Advice (E)

Advise clients, particularly the California State Board of Pharmacy, regarding complex administrative adjudication under the Administrative Procedures Act and the basis for administrative actions, advise clients on laws and regulations pertinent to their regulatory activities, and communicate complex legal principles, facts and position(s) to various audiences in a courteous and professional manner.

20% Representation (E)

Prepare and attend open and closed board/industry meetings, particularly meetings involving the California State Board of Pharmacy and pharmaceutical industry, represent the client before an Administrative Law Judge in administrative matters or appear as a hearing officer or advisor in such matters, appear as a legislative liaison, conduct public hearings on proposed regulations, defend depositions and small claims matters, and coordinate litigation with the Attorney General's Office.

5% Legal Publications and Guides (E)

Research and draft Department-wide legal memoranda and guides on complex matters such as the Bagley-Keene Open Meeting Act, the administrative adjudication and rulemaking provisions of the Administrative Procedures Act, the Public Records Act, and the Political Reform Act.

5% Mentor (E)

Participate in training and mentoring lower-level attorneys in their duties in collaboration with the ACCs. Knowledge-share and provide guidance and expertise to lower-level attorneys.

5% Professional Development (E)

Devotes time to his/her own professional development, attends educational programs, prepares for and conducts education and training programs and develops training materials, and acts as a liaison with other relevant organizations.

5% Administration (M)

Devotes time to matters of purely administrative nature, including: meeting with Division staff, reporting on relevant activities, maintaining time records, and maintaining files.

B. Supervision Received

The Attorney IV is directly supervised by an Assistant Chief Counsel, but may also receive assignments from the Assistant Deputy Director or Deputy Director of the Division.

C. Supervision Exercised

While the Attorney IV does not have formal supervisory authority, the Attorney IV routinely provides advice and guidance to other counsel and may act in a lead capacity with an Attorney III or an Attorney.

D. Administrative Responsibility

Minimal, as needed.

E. Personal Contacts

The Attorney IV has frequent contact with professional, management and support staff in the Division, Executive Staff, board/bureau staff, the Division of Legislative Affairs, the Division of Investigation, private attorneys, district attorneys, the Attorney General's Office, other government agencies, media representatives, and organizations such as the California District Attorneys Association, the State Bar of California and the

California Consumer Affairs Association. Many of these contacts are sensitive, and may also be confidential under the attorney-client and work product privileges.

F. Actions and Consequences

Failure to perform these duties adequately could result in inefficient operation of the Department and/or Division, and could also result in provision of inaccurate or incomplete advice or assistance, with the possibility that recipients of these services might take positions or implement policies that are not advantageous or are not adequately supported.

G. Functional Requirements

The incumbent is expected to work approximately 40 hours per week in an office setting in the Legal Affairs Division suite, with artificial light and temperature control. In-person work is essential to establishing and maintaining rapport with Legal Division and board staff, effectively communicating and collaborating with staff and others, assuring assimilation, knowledge transfer, and accountability for work projects, maintaining consistency with other parts of the DCA, and for professional development. The ability to use a personal computer is essential. The position requires bending and stooping to retrieve files; occasional light lifting, up to 10 – 15 lbs.

H. Other Information

Licensing Requirement: Incumbent must maintain active membership in the California State Bar and comply with the Rules of Professional Conduct at all times.

Incumbent must be able to travel to board meetings throughout the state.

The position is subject to Title 16, section 3830 of the California Code of Regulations, the Department of Consumer Affairs' Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st and within 30 days of leaving office.

Due to the heavy workload and time sensitive nature of the work, regular and consistent attendance is critical to the successful performance of this position. The Attorney IV must possess good communication skills, be client-oriented and be able to work efficiently and cooperatively with others. This position has access to confidential and sensitive information and is expected to maintain the privacy and confidentiality of such information at all times.

In all job functions, employees are responsible for creating an inclusive, safe, and secure work environment that values diverse cultures, perspectives, and experiences, and is free from discrimination. Employees are expected to provide all members of the public equitable services and treatment, collaborate with underserved communities and tribal governments, and work toward improving outcomes for all Californians.

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

Printed Name, Classification