

DUTY STATEMENT
DEPARTMENT OF JUSTICE, CIVIL LAW DIVISION
TORT & CONDEMNATION SECTION

JOB TITLE: Deputy Attorney General Range A-B

GENERAL STATEMENT:

The Tort and Condemnation Section practices civil litigation. It defends the state and its agencies, departments, and employees in civil actions brought in federal and state courts for personal injury, wrongful death, property damage, and civil-rights claims. The section also prosecutes matters relating to the acquisition of real property for public purposes under the state's power of eminent domain, defends inverse condemnation actions initiated by private property owners seeking compensation for a taking of or damage to the owner's real property, and defends mass tort actions against the state and its agencies and departments arising out of events such as floods, earthquakes, and fires. The section also handles factually and legally complex construction arbitration and litigation cases that frequently involve multi-million dollar claims. The Tort and Condemnation Section serves as civil litigation attorneys for most state agencies and departments. Deputies in the section litigate cases through trial and appeal in state and federal court.

Deputy Attorneys General in Range A are qualified to practice law in California and have the ability to perform the routine legal work of the section. Deputy Attorneys General in Range B have the ability to handle the routine legal work of the section as well as the more complex and sensitive legal work in this class. They also are expected to exercise a greater degree of independent judgment. Deputy Attorneys General in both ranges manage an increasingly challenging workload and produce high-quality work product, sometimes under tight deadlines. They also become increasingly effective oral advocates. Deputy Attorneys General represent the section's clients on legal matters, are assigned litigation, and may work on cases that may be appealed to the highest courts.

SUPERVISION RECEIVED: Deputy Attorneys General work under the supervision of a Supervising Deputy Attorney General and the Senior Assistant Attorney General. In a particular matter, the Supervising Deputy Attorney General or Senior Assistant Attorney General may designate another supervisor/manager to oversee the work of the deputy.

OVERSIGHT EXERCISED: Deputy Attorneys General may direct, monitor, and oversee the work of paralegals.

TYPICAL PHYSICAL DEMANDS:

- May be required to sit for long hours on a daily basis, often while using a computer to do research, draft documents, and perform other duties.
- Be able to travel out-of-town for work-related purposes (including overnight travel), sometimes for extended periods of time and sometimes to remote areas.
- Be able to lift/move up to 25 pounds of books, legal files, exhibits, and/or equipment.

TYPICAL WORKING CONDITIONS:

- If necessary, may be required to work over eight hours a day and on weekends/holidays, including during trials and administrative hearings or as otherwise required by operational needs.
- While working in the office, works in an enclosed interior or exterior window office in a smoke-free environment.
- While teleworking, works in compliance with the office's Telework Program Policy and Procedural Guide, the Exceptional Telework Request Procedures, the Legal Division Teleworking Expectations memorandum, and their section policies.

DUTIES (Essential Functions)

- 35% Effectively manages an increasingly challenging trial court caseload, while meeting all deadlines; represents clients at jury or bench trials; handles a jury trial independently or as part of a trial team consistent with the range deputy skill level; investigates facts and analyzes evidence; gathers information relevant to the litigation; develops litigation plans, trial themes, and trial strategies; promulgates and responds to written discovery (including e-discovery); takes and defends depositions of fact and expert witnesses; researches and analyzes legal issues; efficiently produces high-quality legal work, sometimes under significant time pressure and tight deadlines; efficiently drafts well-researched and well-written briefs in support of demurrers, motions to dismiss, anti-SLAPP motions, discovery motions, motions for summary judgment, other dispositive motions, and mediation and trial briefs; efficiently prepares and responds to pleadings, petitions, motions, writs, briefs, memoranda, evidentiary objections, settlement offers, other legal documents, and correspondence (including emails); retains consultants; retains and prepares expert witnesses for deposition and trial; prepares for mediation and other alternative dispute resolution; prepares for trial including, as necessary, participating in mock trials, moot courts, and pre-trial round table discussions; prepares motions in limine and oppositions to motions in limine, jury instructions, verdict forms, trial briefs, voir dire, witness lists, exhibit lists, and other trial materials; prepares witnesses for trial; examines and cross-examines witnesses at trial; applies sound legal judgment to all duties.
- 20% Effectively handles appellate litigation in state and federal courts that is increasingly challenging, while meeting all deadlines; researches and analyzes appellate issues; researches and demonstrates familiarity with appellate court rules; produces high-quality appellate briefs; participates in moot courts to prepare for oral argument and serves as moot court judge for other attorneys; makes appellate appearances and presents oral argument; persuasively argues client's position, consistent with the range deputy skill level; effectively communicates with and represents clients in appellate litigation.
- 20% Provides increasingly effective advocacy in trials, hearings, administrative proceedings, oral arguments, and other matters.
- 10% Strategizes with supervisors, other deputies, and clients on case issues; coordinates with the Office of the Solicitor General on its involvement in cases as necessary; follows the Department of Justice policies, procedures, and guidelines in handling cases; efficiently

researches and analyzes the legal issues at hand; efficiently produces high-quality work product, sometimes under tight deadlines, that is legally and factually accurate, persuasive, and written with proper tone; timely submits work product for review by supervisors and clients; keeps supervisors and clients apprised of case developments; timely responds to client inquiries; advises clients on the estimated costs of litigation, the policy implications of litigation, and the risks and benefits of settlement; engages in mediation and settlement negotiations as appropriate.

10% Performs various administrative functions including: timely calendars deadlines, case events, travel, and leave; timely enters case information (including documents) in ProLaw and ensures that case information, milestones, and deadlines are kept up to date; timely requests approval to take leave; enters time in ProLaw promptly, accurately, and completely, and timely records leave in Workday; completes mandatory training and takes advantage of professional training opportunities; provides mentoring and training to paralegals and interns; participates in the hiring of deputies and paralegals as requested; attends section meetings and assists with the meetings as requested; timely files necessary paperwork to obtain approval to, e.g., hire expert witnesses, travel out of state, and take certain actions (e.g., file an amicus brief); effectively uses video-conferencing and other work-related technology.

5% May be called upon to provide research, analysis, and advice to supervisors, public officials, and representatives of public agencies on legal issues, including drafting and analysis of legislative measures and regulations, and to provide responses to Public Records Act requests consistent with the range deputy level of experience; handles progressively more difficult, complex, and sensitive special projects as assigned by the Supervising Deputy Attorney General or Senior Assistant Attorney General.

KNOWLEDGE AND SKILLS REQUIRED TO PERFORM THE DUTIES OF THE POSITION

- Knowledge of the areas of law handled by the section.
- Knowledge of: (a) the laws, rules, and guidelines governing professional conduct and conflicts of interest, including professional and financial conflicts of interest and conflicts between clients, (b) duties and powers of the California Attorney General, (c) principles of administrative and constitutional law, (d) rules of evidence and civil procedure, (e) rules of court, (f) rules governing the conduct of proceedings before administrative bodies, and (g) the Department of Justice policies, procedures, and guidelines.
- Ability to handle all aspects of trial court litigation, administrative proceedings, and appellate litigation, and to effectively advocate the client's position in court and before administrative bodies.
- Ability to efficiently manage a challenging workload by, among other things, prioritizing tasks and handling several tasks and deadlines simultaneously.
- Ability to efficiently complete research (including through use of online resources), and to efficiently produce work product that is legally and factually accurate, persuasive, and written with proper tone.

- Ability to efficiently review and organize voluminous paper and electronically stored documents, including through use of litigation software.
- Ability to effectively use video-conferencing and other work-related technology.
- Ability to exercise good judgment and to work collaboratively, professionally, and ethically with co-workers, other colleagues, supervisors, managers, administrative staff, clients, opposing counsel, court staff, public officials, and representatives of public agencies.
- Ability to effectively use ProLaw to manage case files and to ensure prompt and accurate billing to clients, and to effectively use Workday.

I have read and understand the essential functions and typical physical demands required of this job (please check one of the boxes below regarding a Reasonable Accommodation):

I am able to complete the essential functions and typical physical demands of the job without a need for a reasonable accommodation.

I am able to complete the essential functions and typical physical demands of the job, but will require a reasonable accommodation. I will discuss my reasonable accommodation request with my supervisor.

I am unable to perform one or more of the essential functions and typical physical demands of the job, even with a reasonable accommodation.

I am not sure that I will be able to perform one or more of the essential functions and typical physical demands of the job, and will discuss the functional limitations I have with my supervisor.

Employee's Signature & Date

Supervisor's Signature & Date

Typed or Printed Name

Typed or Printed Name