



DUTY STATEMENT

<input type="checkbox"/>	Current
<input checked="" type="checkbox"/>	Proposed

Position Classification: Attorney IV	Working Title: Senior Counsel
Position Number: 006-098-5780-100	CBID: R02
Work Week Group: SE	Work Hours: 8:00am – 5:00pm
Command/Directorate/Unit: JFHQ / Office of General Counsel	Physical Work Location: 10601 Bear Hollow Dr, Rancho Cordova, CA 95670
Supervisor Name: Paul S. Eck	Supervisor Classification/Rank: Assistant Chief Counsel
Current Incumbent: Vacant	Effective Date: TBD
Position Requirements: <input type="checkbox"/> Conflict of Interest Filer (Form 700) <input type="checkbox"/> California Driver's License <input type="checkbox"/> Class A <input type="checkbox"/> Class B <input type="checkbox"/> Class C <input type="checkbox"/> Class C w/Endorsement: _____	
<input checked="" type="checkbox"/> Travel to Multiple Locations <input type="checkbox"/> Occasional Travel <input checked="" type="checkbox"/> Other (Specify): <u>California State Bar</u>	
<p>As an employee of the California Military Department (CMD), you are required to perform the essential functions of the position with or without reasonable accommodation. The incumbent is also expected to work cooperatively with internal staff/external partners and treat others fairly, honestly and with courtesy and respect. In addition to providing the highest level of customer service while meeting the CMD mission.</p>	
Position Identification: <p>Under general direction of the Assistant Chief Counsel, the Attorney IV serves as Senior Counsel and independently performs the department's most complex, sensitive, and high-risk legal work requiring exceptional legal expertise, strategic judgment, and discretion. The incumbent serves as a senior legal advisor to executive leadership on matters involving significant operational, fiscal, regulatory, employment, litigation, and policy impact. Assignments involve novel legal theories, evolving areas of law, precedent-setting matters, and issues of statewide significance. The Attorney IV serves as lead counsel on major legal matters and provides legal strategy, consultation, mentoring, and subject matter expertise to attorneys, executives, and program leadership</p>	
Essential Functions:	
25%	<ul style="list-style-type: none"> Serve as a senior legal advisor to executive leadership and Executive Staff on highly complex, sensitive, and high-risk legal issues affecting Department operations and policy by conducting legal research; analyzing, interpreting, and applying laws, court decisions, regulations, and other authorities; and providing strategic legal guidance to identify and assess legal risk, minimize costs, and protect the interests of the State and its citizens. Provide legal advice and handle a variety of in-house counsel matters by conducting research and analyzing, interpreting, and applying laws, court decisions, regulations, and other legal authorities with short turnaround times. Handle matters with significant departmental, statewide, or legal policy impact, including those that may establish precedent or influence organizational decision-making.
25%	<ul style="list-style-type: none"> Actively manage litigation by or against the department, working closely with Deputy Attorney Generals and Asst. U.S. Attorneys to minimize costs and exposure. Ability to prepare, present, and handle legal cases before State Personnel Board, Office of Administrative Hearings, Workers' Comp Board and State courts when authorized. Perform research; analyze difficult and complex legal problems and provide memoranda.
20%	<ul style="list-style-type: none"> Provide legal advice and support on complex issues involving State Personnel Programs, administrative actions, and employment-related matters to ensure compliance with applicable laws, regulations, and policies.

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(Rev. 12/2024)

15%	<ul style="list-style-type: none"> • Serve as the Department’s Privacy Program Coordinator; provide guidance to management and staff on privacy matters, coordinate privacy incident response activities, and serve as liaison on privacy-related issues.
10%	<ul style="list-style-type: none"> • Lead negotiation, drafting, and review of complex, high value, or high-risk contracts and agreements using State and Federal codes, regulations, and common law principles as necessary for the implementation of a variety of contracts, purchases and acquisitions. • Draft and review a variety of state documents, including contracts, Memorandum of Understanding (MOU), Memorandum of Agreement (MOA), Budget Change Proposals (BCP), Spring Finance Letters, Capital Outlay Budgets, in support of various directorates.
Non-Essential/Marginal Functions:	
5%	<ul style="list-style-type: none"> • Other duties as assigned.
Knowledge, Skills, and Abilities:	
<p>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; federal and state statutes and rules; rules of professional conduct; principles of administrative trial and hearing procedure and rules of evidence; court procedures; legal terms and forms in common use; statutory and case law literature and authorities; professional and ethical rules as they relate to the practice of law; appellate proceedings; rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies; and provisions of laws and Government Code sections administered or enforced.</p>	
<p>Skills: To communicate with individuals who are reluctant, afraid, anxious and/or uncooperative, and whose input and/or participation may be needed to complete a work assignment. Skill to listen to others to facilitate an open exchange of ideas and provide for effective communication. Skill to professionally communicate one’s views and opinions on work issues even when they may be different from those expressed by others.</p>	
<p>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 and memoranda 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; independently present difficult and complex cases before Administrative Law Judges; prepare, present, and handle legal cases; direct the work of clerical and professional assistants; edit written documents written by oneself, as well as those produced by others, for accuracy and effectiveness; analyze situations accurately and adopt an effective course of action; reason logically; exercise good judgment; effectively plan and engage in discovery, including depositions and interrogatories, and to compel production or attendance of/at same; independently prepare and present difficult and complex cases before boards, commissions, trial courts, and appellate courts; independently present difficult and complex cases before administrative bodies.</p>	
<p>Required Qualifications:</p> <ul style="list-style-type: none"> • Current member in good standing of the California State Bar. • No pattern of undesirable behavior as evidenced by civilian or military record of conviction by Special or General Courts Martial or civilian courts or otherwise required to register as a sexual offender as enumerated in AR 27-10. • Must pass Live Scan upon hire date, as well as both State and Federal background checks (CMVC 53.5) 	
Desirable Qualifications:	

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- Legal knowledge and experience related to California State Contracting, State Personnel, capital outlay, construction and building code, legislative affairs, military operations, and emergency response operations highly desirable.
- Litigation experience and management of litigation matters are highly desirable.
- Knowledge and experience working cases with investigators, administrative judges and arbitrators from various judicial bodies, including, but not limited to, the State Personnel Board, Office of Administrative Hearings, Superior Courts of California, California Courts of Appeal and Federal District and Appellate Courts.
- Experience as an Ethics Advisor.
- Must be able to communicate effectively verbally and in writing.
- Juris Doctor Degree from an ABA accredited law school desired.

Work Environment:

- Position will normally operate indoors in an office setting but may require the incumbent to operate in the field, such as a construction job site, military post, or airfield.
- Require prolonged sitting, use of telephone, personal computer and copier, and incumbent must work well under pressure, meeting multiple and sometimes conflicting deadlines.
- Require appropriate dress for a professional office environment.

Physical/Mental Abilities:

- This position may require the incumbent to travel to disaster, construction, and training sites, that may require mobility and physical exertion.
- Extended duty hours and critical assignments with extremely short turnaround times should be considered the norm, rather than an exception.

Equipment Used:

- Computer, telephone, copier, car, cellphone, Lexis Nexis, LawPro or similar database.

Employee Certification:
 This duty statement reflects the typical duties of the essential functions described for the position. It is not considered an all-inclusive list of work requirements. I have read and discussed the duties of this position with my supervisor and understand I may perform other duties as assigned, including but not limited to, work in other functional areas to cover absences, peak work periods, or balance workload.

I certify I possess qualifications, including but not limited to, integrity, initiative, dependability, good judgment, and the ability to work cooperatively with others. Additionally, I am able to perform the assigned duties with or without reasonable accommodation. Should I have any concerns performing the assigned duties, I will discuss them with the hiring manager who will provide information for the Return-To-Work Coordinator.

I have read the duty statement and discussed the duties with my supervisor.

Employee Name (Print)	Signature	Date
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Supervisor Statement:
 I have discussed the duties outlined in the duty statement and provided a copy to the employee.

Supervisor Name (Print) Paul S. Eck, Dep General Counsel	Signature	Date
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State Personnel Office Use Only

State Personnel Certification: Approval

C&P Analyst Name (Print)	Signature	Date
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