

26-007

ALERT: This form is mandatory for all Requests for Personnel Action (RPA).

INSTRUCTIONS: Before completing this form, read the instructions located on last page.

Section A: Position Profile

A. DATE 7/7/2026	B. APPOINTMENT EFFECTIVE DATE	C. INCUMBENT NAME Vacant
D. CIVIL SERVICE CLASSIFICATION Attorney III	E. POSITION WORKING TITLE Stabilization Services Attorney	
F. CURRENT POSITION NUMBER 695-535-5795-001	G. PROPOSED POSITION NUMBER (Last three (3) digits assigned by HR)	
H. OFFICE / SECTION / UNIT / PHYSICAL LOCATION OF POSITION Office of Legal Services / Rancho Cordova	I. SUPERVISOR NAME AND CLASSIFICATION Vacant, Chief Counsel	
J. WORK DAYS / WORK HOURS / WORK SHIFT (DAY, SWING, GRAVE) MONDAY-FRIDAY, 8AM-5PM (VARIABLE)	K. POSITION REQUIRES:	FINGERPRINT BACKGROUND CHECK ☐ YES ☒ NO DRIVING AN AUTOMOBILE ☐ YES ☒ NO

Section B: Position Functions and Duties

Identify the major functions and associated duties, and the percentage of time spent annually on each (list higher percentages first).

	Information Technology Domains (Select all domains applicable to the incumbent's duties/tasks.) ☐ Business Technology Management ☐ IT Project Management ☐ Client Services ☐ Information Security Engineering ☐ Software Engineering ☐ System Engineering
	Organizational Setting and Major Functions Under the general direction of the Chief Counsel, the Attorney III works independently to advise, assist and support the California Department of Technology, in implementing the State's new Technology Strategy and Digital Transformation Strategy. The Attorney III acts as a specialist in public contracting law, project management, and state and federal government procurement law relating to the department's Information Technology (IT) and non-IT procurements. This position is designated under the Conflict of Interest Code. The position is responsible for making, or participating in the making, of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment.
% of time performing duties 40%	Essential Functions (Percentages shall be in increments of 5, and should be no less than 5%.) • Provide verbal and written legal advice to the California Department of Technology with respect to the more complex and novel issues relating to the work of the department. • Research, review, interpret, and apply laws, court decisions, and other legal authority in the preparation of written legal opinions; prepare legal documents and memoranda; advise project staff regarding the legal effects of rules, statutory law, proposed regulations and legislation, court decisions, administrative actions governing the activities of the IT systems procured, managed by the department. • Advise, assist and support the department in technology modernization initiatives that will be identified and approved by CDT and the Department of Finance through CDT's assessments of existing technology systems, and the evaluation of strategic technology modernization proposals submitted by departments. • Advise, assist and support the department in identifying technology proposals eligible for modernization funding. • Develop policies and provide guidance to state entities to submit the technology proposals must meet at least one of the following criteria: (1) improve, retire, or replace existing technology systems; (2) improve information security; (3) improve the efficiency and effectiveness of state entities; or (4) transition state entities' legacy technology systems to cloud computing. • Conduct legal research and analysis on the more complex and specialized contract related areas of law. Provide expert advice and support on diverse and complex legal issues involving administrative and departmental programs, including interpreting State and federal statutes and regulations in evolving areas of law. Prepare the written legal opinions.
30%	• Consult with the Chief Counsel, Attorney General's Office, and other outside counsel as necessary to ensure comprehensive representation of the California Department of Technology's best interest. • Research and advise on the more complex contract disputes, including noncompliance with terms and conditions of contracts. • Respond to requests for information regarding legislation concerning highly specialized regulatory issues.

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| 20% | <ul style="list-style-type: none"> • Prepare administrative and legal policy to conform to mandated state and federal laws, and control agency mandates. • Draft regulations and notices related to procurement rules, public contract rules, and appeal rights. |
| 10% | <ul style="list-style-type: none"> • Work closely with Senior Counsel and Human Resources Personnel on personnel and employment matters including labor arbitration, unfair labor practice cases before, State Personnel Board, the Public Employment Relations Board (PERB), and appeals before the Unemployment Insurance Appeals Board (UIAB) and other regulatory agencies. • Respond to requests to the California Department of Technology under the Public Records Act. • Perform other related duties as assigned. |

Work Environment Requirements

- Travel between the California Department of Technology and other department campuses, and other offices may be required.
- Required to carry a smart phone or other communication device.

Allocation Factors (Complete each of the following factors.)

Supervision Received:

The Attorney III is under the general direction and supervision of the Chief Counsel. Work product and opinions produced by the Attorney III are subject to Chief Counsel review and approval prior to submission to executives.

Actions and Consequences:

Decisions and recommendations made by the incumbent can have a serious and high economic impact on customer programs and mandates. Poor judgment on the part of the incumbent can result in organizational deficiencies and adverse legal actions. Because of the California Department of Technology's public visibility, failure to comply with the applicable regulations, statutes, and policies could produce significant negative impacts to the Administration and could result in loss of public confidence and adverse press.

Personal Contacts:

The Attorney III communicates with California Department of Technology executives and managers, and vendor communities, as approved and authorized by the Chief Counsel.

Administrative and Supervisory Responsibilities:(Indicate "None" if this is a non-supervisory position.)
None.

Supervision Exercised:

None

Other Information

Desirable Qualifications: (List in order of importance.)

- Current member in good standing with the California State Bar.
- Experience drafting personal services justifications pursuant to Government Code section 19130, and drafting, negotiating, and interpreting contracts.
- Ability to analyze administrative policies, organization, procedures, and practices.
- Ability to integrate the activities of a diverse program to attain common goals.
- Ability to gain the confidence and support of top-level administrators and advise them on a wide range of administrative matters.
- Ability to develop cooperative working relationships with representatives of all levels of government, the public, and the Legislative and Executive Branches.
- Ability to analyze the more complex problems and recommend effective courses of action.
- Ability to analyze problems and apply legal principles and precedents to a particular set of facts.
- Excellent writing, verbal, and organizational skills.
- Ability to present statements of fact, law, and arguments clearly and logically in written and verbal form.

- Ability to draft rules and regulations and proposed legislative measures; and perform legal research.
- Ability to prepare and review reports.

Desired Knowledge Base:

- The organization and functions of the California state government, including the organization and practices of the Legislature and the Executive Branch.
- Principles, practices, and trends of public administration, organization, and management.
- Program development and evaluation.
- Public Records Act requirements and exceptions.
- Methods of administrative problem solving.
- State and Federal employment laws including Civil Service Act; Civil Rights Act, Title VII; Americans with Disabilities Act; Fair Employment and Housing Act; Fair Labor Standards Act, Ralph C. Dills Act, etc.
- Legal principles and their application.
- Legal procedures and terminology.
- Fiscal practices, contracts, tort liability.
- Public contract law.
- Constitutional and administrative law.
- Court procedures and rules of evidence.
- Procedures involved in the purchase and transfer of real property.
- Financial and accounting laws of the State of California.

INCUMBENT STATEMENT: I have discussed the duties of this position with my supervisor and have received a copy of the duty statement.

INCUMBENT NAME (PRINT)

INCUMBENT SIGNATURE

DATE

SUPERVISOR STATEMENT: I have discussed the duties of this position with the incumbent.

SUPERVISOR NAME (PRINT)

SUPERVISOR SIGNATURE

DATE

Instructions			
Copies and Distribution	• <u>Current and Proposed Duty Statements</u>: Submit with Request for Personnel Action (RPA) package. • <u>Approved Duty Statement</u>: Supervisor reviews with incumbent; both supervisor and incumbent must sign and date. • <u>Signed Copies</u>: Original to supervisor; copy to incumbent; scanned/electronic version emailed to Human Resources.		
Section A: Position Profile	Complete Sections A through K. If position number is changing, complete sections D, E, G, and H using the proposed position information. If incumbent's name is known, complete section C.		
Section B: Position Functions & Duties	Identify the major functions and associated duties, and the percentage of time spent annually on each (list higher percentages first).		
Information Technology Domains	Select all domains applicable to the incumbent's duties/tasks.		
Organizational Setting and Major Functions	Provide a <u>brief</u> description of the position's reporting relationship, primary role, and purpose.		
Essential Functions	Identify the fundamental job duties of the position that must be performed, with or without reasonable accommodation. NOTE: Essential Functions shall be properly aligned with the classification specification. Percentages shall be in increments of 5, and should be no less than 5%. The total percentage of all functions (essential and marginal) must equal 100%. Per Government Code section 12926.1 (a-c), a job function or task may be considered an essential function for several reasons, including, but not limited to: • The position exists to perform the function. • There are a limited number of other employees available to perform the function, or among whom the function can be distributed. • The function is highly specialized; the person is hired for special expertise or ability to perform the function. • Removal of the function would fundamentally alter the job. To write essential functions for the position: • Identify the major functions of the job. Most positions have five to seven major functions. • Identify the specific tasks associated with each major function (include end products). • Identify the level of work and why the work is done. The below is an example of how to write an essential function and the associated task statements: ESSENTIAL FUNCTIONS <table border="1"> <tbody> <tr> <td>45%</td> <td> Provide complex analytical support, and complete various sensitive assignments and documents in consultation and coordination with a variety of management, staff, and others using proven research techniques and analytical and writing skills. <u>Associated Tasks Statements</u> • Research, develop, and/or review a variety of documents, including STMM policies, procedures, and contract implementation-related documents, including contract exemption requests, Statements of Work, and other related items. • Conduct surveys, analytical studies, and other related activities to develop pertinent informational resources on telecommunications programs, issues, and customer utilization. • Follow up on statewide telecommunications-related laws, policies, procedures, and documents [e.g., Request for Information (RFI), Request for Proposal (RFP), Management Memoranda]. </td> </tr> </tbody> </table>	45%	Provide complex analytical support, and complete various sensitive assignments and documents in consultation and coordination with a variety of management, staff, and others using proven research techniques and analytical and writing skills. <u>Associated Tasks Statements</u> • Research, develop, and/or review a variety of documents, including STMM policies, procedures, and contract implementation-related documents, including contract exemption requests, Statements of Work, and other related items. • Conduct surveys, analytical studies, and other related activities to develop pertinent informational resources on telecommunications programs, issues, and customer utilization. • Follow up on statewide telecommunications-related laws, policies, procedures, and documents [e.g., Request for Information (RFI), Request for Proposal (RFP), Management Memoranda].
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Marginal Functions	Identify functions or tasks that are performed, but are not fundamental duties of the position. These are functions or duties that can be assigned to another employee and can be characterized as non-essential or marginal. The phrases "perform other related duties" or "perform other related work" can be used in the marginal functions field. NOTE: Percentages shall be in increments of 5, and should be no more than 5%. The total percentage of all functions (essential and marginal) must equal 100%.		
Work Environment Requirements	Identify physical or mental requirements, work conditions, hazards, and equipment used on the job and required to perform the essential functions of the job. NOTE: Specify in this section if a fingerprint background check is required.		
Allocation Factors	• <u>Supervision Received</u>: Identify the scope of initial instruction, how work is supervised while in progress, and nature and purpose of final review. • <u>Actions and Consequences</u>: Identify in what areas judgment, decisions, and recommendations are made, and probable effects of poor decisions or recommendations. • <u>Personal Contacts</u>: Identify with whom, how frequently, and for what purpose personal contacts are required with persons outside of the immediate work group. • <u>Administrative and Supervisory Responsibilities</u>: Briefly identify the extent of participation in management functions (e.g., planning, budgeting, cost control, reporting, selecting, placement, and development of personnel). Indicate "None" if a non-supervisory position. • <u>Supervision Exercised</u>: Identify the type of supervisory responsibility exercised and indicate whether supervision is a responsibility of the position or of a lead nature.		
Other Information	Identify any significant factors or special requirements for this position that are not included elsewhere on this form. • <u>Desirable Qualifications</u>: Identify any special personal characteristics, interpersonal skills, additional qualifications, specific business needs, and additional attributes that will enhance the incumbent's ability to perform a particular function. (e.g., professional certification or license, general or specialized knowledge in the field, ability to qualify for a fidelity bond, aptitude for investigative work, skills and abilities above the required minimums.) NOTE: Please list the desirable qualifications in order of importance, as they will be listed on the Job Opportunity Bulletin (JOB).		