

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

Vacant

CLASSIFICATION:

Assistant Chief Counsel

POSITION NUMBER:

800-310-5871-011

DIVISION/BRANCH/REGION: (UNDERLINE ALL THAT APPLY)

Legal Division/ Info, Tech & Admin Litigation Branch

BUREAU/SECTION/UNIT: (UNDERLINE ALL THAT APPLY)

Personnel Bureau

SUPERVISOR'S NAME:

Janine LaMar

SUPERVISOR'S CLASS:

Senior Assistant Chief Counsel

SPECIAL REQUIREMENTS OF POSITION (CHECK ALL THAT APPLY):

- ☒ Designated under Conflict of Interest Code.
- ☐ Duties require participation in the DMV Pull Notice Program.
- ☐ Requires repetitive movement of heavy objects.
- ☐ Performs other duties requiring high physical demand. (Explain below)
- ☐ None
- ☒ Other (Explain below)

Employees employed to work in the Legal Division are required to obtain a criminal record background clearance by the Department of Justice and the Federal Bureau of Investigation

I certify that this duty statement represents an accurate description of the essential functions of this position.

I have read this duty statement and agree that it represents the duties I am assigned.

SUPERVISOR'S SIGNATURE

DATE

EMPLOYEE'S SIGNATURE

DATE

SUPERVISION EXERCISED (Check one):

- ☐ None ☒ Supervisor ☐ Lead Person ☐ Team Leader

FOR SUPERVISORY POSITIONS ONLY: Indicate the number of positions by classification that this position DIRECTLY supervises.

The Assistant Chief Counsel directly supervises one Attorney Supervisor, four Attorney IVs, five Attorney IIIs, two Attorneys, and two paralegals.

Total number of positions for which this position is responsible: 15

FOR LEADPERSONS OR TEAM LEADERS ONLY: Indicate the number of positions by classification that this position LEADS.

MISSION OF ORGANIZATIONAL UNIT:

The Legal Division's Information, Technology and Administrative Litigation Branch is dedicated to providing timely, responsive and accurate legal advice and services to the divisions within the California Department of Social Services (Department) that are responsible for administering or overseeing various public social services programs and related functions.

CONCEPT OF POSITION:

The Assistant Chief Counsel (ACC) of the Information, Technology and Administrative Litigation Branch - Personnel Bureau, is capable of performing the most complex and sensitive legal work required by the Branch as well as providing consistent and substantive supervision to subordinate staff to ensure their work is completed timely, accurately and in a professional manner. As one of the most experienced attorneys in the Legal Division, the ACC is expected to be an expert or have the skills and experience to become an expert within a short period of time of the federal and state laws, regulations and policies that are applicable and related to the programs and administrative areas served by the Branch.

A. RESPONSIBILITIES OF POSITION:

35% Advise the Senior Assistant Chief Counsel (CEA B), Chief Counsel, Department directorate and program managers as well as state control agencies on complex and significant issues pertaining to the areas served by the Bureau. Independently perform ongoing legal work on the most complex and sensitive assignments. Oversee the development and execution of Department-wide training in the area of employment law and practices. Attend meetings and consult with control agencies, other State departments, and federal government representatives. Interact with stakeholders such as unions, opposing counsels, members of the public, and contractors.

35% Responsible for assessing and assigning administrative litigation cases forwarded by the Performance Management Unit for legal representation. Appropriately evaluate, delegate, and prioritize assignments as well as ensure that timely, consistent and accurate legal advice and representation is provided by subordinate legal staff to Department clients. Assignments may include but are not limited to: completion of legal opinions; drafting of legislation, regulations, policies, and procurement documents; analysis of proposed legislation; all aspects of litigating administrative actions; review of employment, labor, and other policies, procedures and documents; responding to Public Records Act requests and providing in-depth litigation support to the Office of the Attorney General. Directly supervise subordinate staff. Supervision includes but is not limited to: completion of probations reports and Individual Development Plans; taking appropriate disciplinary action; reviewing and approving employee leave requests; and providing general day-to-day supervision to ensure that staff work is consistent, accurate and completed in a timely manner.

20% As a member of the Legal Division Management Team, the ACC proposes and participates in the formulation of Legal Division policies and practices and strategic planning. As a member of the ITAL management team: participates in the creation of Branch process improvement, organizational change management, staff retention, morale, recruitment, development and training; completes requests and justifications for additional resources; develops and implements policies and procedures applicable to the internal functions of the Branch; and other managerial administrative functions as required.

10% Advise the Senior Assistant Chief Counsel (CEA B), Chief Counsel, Department directorate and program managers as well as state control agencies on complex and significant issues pertaining to the programs and administrative areas served by the Branch. Conduct or assist with investigations, legal research and analysis on highly sensitive issues on behalf of the Directorate.

B. SUPERVISION RECEIVED:

The ACC is expected to work independently under the general direction of a Senior Assistant Chief Counsel (CEA B) with minimal supervision and be able to exercise well-thought, appropriate and independent judgment and discretion in performing and completing their duties without routine review.

C. ADMINISTRATIVE RESPONSIBILITY:

The ACC is expected to be responsible for their own work assignments that are in addition to the supervisory responsibilities to oversee the completion of work assignments by subordinate staff. In addition, the ACC is expected to assist in the recruiting, selection and training of subordinate staff.

D. PERSONAL CONTACTS:

The ACC is expected to interact with Department executive, management and program staff as well as with other departments including the Governor's Office, California Health and Human Services Agency, Department of Finance, State Personnel Board, Office of Administrative Hearings, and the Office of the Attorney General. The ACC is expected to conduct these interactions in a responsible, professional and timely manner. The ACC is also expected to interact accordingly with county and federal partners, stakeholders and the general public.

E. ACTIONS AND CONSEQUENCES:

The ACC is expected to be personally capable of reviewing, analyzing and completing the most difficult and sensitive legal issues that pertain to the programs and administrative areas served by the branch. Failure to adequately represent the Department or complete the expected work could result in significant legal and fiscal consequences adverse to the Department and the Administration. Failure to provide timely, responsive and accurate legal advice could subject the Department to liabilities, litigation and adverse compliance actions with significant adverse policy consequences.

F. OTHER INFORMATION:

The ACC is expected to be able to travel occasionally to perform their job responsibilities which may include assisting the Office of the Attorney General in litigation matters in superior courts throughout the state, attending training or participating in meetings as a Department representative. The ACC position is located in a high rise state building, and office space is a standard office in a smoke-free environment.