

DUTY STATEMENT

DS 3022 (08/2026)

**DEPARTMENT of DEVELOPMENTAL SERVICES
OPERATIONS
LEGAL AFFAIRS DIVISION**

DUTY STATEMENT

JOB TITLE: Attorney III**POSITION #:** 472-543-5795-005**WORKING TITLE:** Senior Staff Counsel**EMPLOYEE:**

POSITION DESCRIPTION: Under general direction of the Chief Counsel and Assistant Chief Counsels, the Attorney III performs complex and sensitive legal work in the Legal Affairs Division, including, but not limited to probate conservatorships, personnel matters, statutory and regulatory interpretation, programmatic legal advice, administrative appeals, transactional matters, including housing and contract issues, criminal placement proceedings, civil and administrative litigation matters, and legislative analysis. The Attorney III represents the Department in proceedings before courts and administrative bodies throughout the state. The Attorney III must possess the ability to interact independently, professionally, and courteously with Department managers and staff while performing multiple tasks that often require stringent deadlines. The position requires moderate to frequent travel. The Attorney III may be asked to assist an Attorney IV with more complex and sensitive legal matters. The Attorney III must consistently perform outstanding legal work.

SUPERVISION EXERCISED: The Attorney III does not directly supervise any staff but may act in a lead capacity with an Attorney.

SUPERVISION RECEIVED: Reports directly to the Chief Counsel and Assistant Chief Counsels.

EXAMPLES OF DUTIES:Essential Job Functions:

40% Acts in a representative capacity in advocacy and litigation matters. Represents and advocates for the Department in the Superior Courts in conservatorship matters, civil commitment proceedings, and hearings related to the commitment of criminal defendants for competency treatment and evaluation to Department facilities. Represents and advocates for the Department in administrative matters before administrative bodies such as the State Personnel Board and the Office of Administrative Hearings. Assists outside counsel in civil and administrative litigation matters where the Department is a party and represents and advocates for the Department at settlement conferences and mediations. Works collaboratively with and assists Department attorneys, executives, administrators, managers, supervisors, investigators, and employees, as well as staff at other state agencies,

including the Office of the Attorney General, as appropriate. Prepares a variety of legal documents, including legal briefs, opinions, and policies. Assembles and evaluates evidence and secures and interviews witnesses for judicial and administrative proceedings. Coordinates with outside counsel on discovery and other pre-trial and trial preparation matters.

- 35% Acts in a representative capacity in transactional matters. Provides direct in-house counsel support and legal advice to Department programs in a wide variety of complex legal areas, including matters involving the Lanterman Developmental Disabilities Services Act and Medicaid compliance. Reviews and revises loan documents for the development of community housing consistent with the Department's Community Placement Plan (CPP) Housing Guidelines, including Deeds of Trust, Restrictive Covenants, Department Profit Participation Agreements, escrow instructions, Promissory Notes, Owner's Title Insurance Policies, and other documents submitted to the Department for review or approval. Facilitates resolution of issues related to Department real estate agreements and documents and negotiates alternative real estate documents proposed by regional centers (RC) and Housing Developer Organizations (HDO). Participates in regularly scheduled loan closing meetings for single- and multi-family housing transactions. Conducts legal review of recorded Department loan documents for consistency with the CPP Housing Guidelines. Reviews HDO organizational documents and proposed ownership structures, including limited partnership, limited liability company, and corporation, and provides recommendations to minimize risk to the Department's interests. Reviews contracts between RCs and HDOs to ensure compliance with the CPP Housing Guidelines and provides recommendations to Department management regarding any contract language inconsistent with the Guidelines. Reviews preliminary title reports and title policies connected to each Department-funded property and provides recommendations to minimize risk to the Department's interest resulting from liens and encumbrances. Reviews lender real estate and transactional documents to ensure the Department's interest in real property is protected. Reviews and modifies refinancing documents from RCs, HDOs, and other entities. Reviews and revises contracts between the Department and third parties, analyzing contracts and providing recommendations to minimize risk to the Department. Evaluates and responds to requests made pursuant to the California Public Records Act. Reviews, evaluates, and drafts proposed legislation affecting the Department.
- 5% Reviews and drafts opinions in administrative appellate reviews filed under the Lanterman Developmental Disabilities Services Act.
- 5% Reviews Department audits and responses related to complaints related to Regional Centers and vendors pursuant to the Lanterman Developmental Disabilities Services Act.

- 5% Serve as the Attorney of the Week (AOW) on a rotating basis. The AOW is responsible for handling subpoenas and other legal documents served on the Department, its Director, managers, and employees acting in their official capacity. The AOW also responds to phone inquiries from other government agencies, attorneys, and members of the public.
- 5% Additional assignments as deemed necessary by the Chief Counsel or Assistant Chief Counsels.

Marginal Job Functions:

- 5% Perform various administrative functions as directed by the Chief Counsel or Assistant Chief Counsels and attend legal training courses on complex legal topics. Other duties as assigned within the scope of the classification.

WORKING CONDITIONS: The office is located in a newly constructed, multi-story building in downtown Sacramento. Moderate to occasional daytime and overnight statewide travel may be required. Transport legal files and documents, as needed, to locations inside and outside the normal worksite for hearings and meetings. File boxes of documents may weigh up to 20 lbs. each and a file may constitute more than one box. This position is a hybrid, in-office/telework position, and may be subject to change. Incumbent can be required to report to the office, or any designated location at any time. Telework agreements can be modified and/or cancelled at any time.

DESIRABLE QUALIFICATIONS:

Knowledge of: Timely open and close assigned cases and maintain case files on all assigned matters and submit updated monthly reports to the Chief Counsel and Assistant Chief Counsels. Additionally, be able to handle multiple tasks and effectively prioritize workloads.

Ability to: Communicate effectively in writing and audibly in person, using documents and electronic devices. Attorneys must be proficient in Microsoft Word, Outlook, Westlaw, Abode, and all other computer tools, programs, or systems utilized by the Legal Affairs Division; comply with the Rules of Professional Conduct at all times.

CERTIFICATION OR LICENSE: Active membership in the California State Bar.

Employee Name
(Print)

Employee Signature

Date

Supervisor Name
(Print)

Supervisor Signature

Date

Employee and Supervisor acknowledge that by signing this Duty Statement that they have discussed and agree to the expectations of the position.

DUTY STATEMENT

DS 3022 (08/2026)

**DEPARTMENT OF DEVELOPMENT SERVICES
OPERATIONS
LEGAL AFFAIRS DIVISION**

DUTY STATEMENT

JOB TITLE: Attorney**POSITION #:** 472-543-5778-XXX**WORKING TITLE:** Staff Counsel**EMPLOYEE:**

POSITION DESCRIPTION: Under direction of the Chief Counsel and Assistant Chief Counsels, the Attorney performs legal work in the Legal Affairs Division, including, but not limited to probate conservatorships, personnel matters, statutory and regulatory interpretation, programmatic legal advice, administrative appeals, transactional matters, including housing and contract issues, criminal placement proceedings, civil and administrative litigation matters, and legislative analysis. The Attorney represents the Department in proceedings before courts and administrative bodies throughout the state. The Attorney must possess the ability to interact independently, professionally, and courteously with Department managers and staff while performing multiple tasks that often require stringent deadlines. The position requires moderate to frequent travel. The Attorney may be asked to assist an Attorney IV or Attorney III with more complex and sensitive legal matters. The Attorney must consistently perform outstanding legal work.

SUPERVISION EXERCISED: None.**SUPERVISION RECEIVED:** Reports directly to the Chief Counsel and Assistant Chief Counsels.**EXAMPLES OF DUTIES:**Essential Job Functions:

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legal documents, including legal briefs, opinions, and policies. Assembles and evaluates evidence and secures and interviews witnesses for judicial and administrative proceedings. Coordinates with outside counsel on discovery and other pre-trial and trial preparation matters.

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CERTIFICATION OR LICENSE: Active Membership of the California State Bar

Employee Name
(Print)

Employee Signature

Date

JOB TITLE: Attorney

POSITION #: 472-543-5778-XXX

Supervisor Name
(Print)

Supervisor Signature

Date

Employee and Supervisor acknowledge that by signing this Duty Statement that they have discussed and agree to the expectations of the position.