



☐ PROPOSED ☒ CURRENT

Classification Title Attorney III	Division Legal Affairs
Working Title Attorney III	Office/Unit/Section/Geographic Location Attorney Services Office A
Position Number 592-830-5795-007	Name and Effective Date

General Statement: Under the direction of the Assistant Chief Counsel, the Attorney III is responsible for providing the full range of legal services to the Department of Cannabis Control (DCC). The Attorney III is expected to work with broad discretion and independence, and to be an expert in the most complex and sensitive areas of law within the program. Duties include, but are not limited to, the following:

A. Specific Assignments [w/ Essential (E) / Marginal (M) Functions]

40% (E) Document Preparation and Review

Research, draft, and review complex and sensitive regulatory documents, contracts, decisions, and orders pursuant to the Administrative Procedure Act (APA), motions, pleadings, and other legal documents. Prepare responses to subpoenas, public record act requests, discovery requests, and other information requests. Conduct research in complex and emerging areas of law including, but not limited to, advertising, tax collection, and the issuance of licenses on tribal lands. Review and when requested prepare press releases, correspondence, pamphlets, law publications, and other materials involving the DCC's highly specialized regulations and programs. Research and prepare responses to the public, industry, other governmental units, and others on behalf of the DCC.

20% (E) Legal Consultation and Advice

Identify the nature of complex and sensitive legal issues, generate alternatives, and implement solutions and approaches that successfully address the issues. Study, interpret, and apply laws, regulations, court decisions, and other legal authorities. Advise and provide expert legal opinions related to licensing applications, enforcement cases, contracts, APA, and laws and regulations pertinent to the DCC's regulatory and operational activities, including open meeting laws, public records laws, and other laws as needed. Communicate legal principles, facts, and positions to various audiences and forums in a courteous and professional tone and manner that is readily understood by the relevant audience. Provide oral and written opinions regarding complex and sensitive issues to the Director, Chief Deputy Director, and other executives and staff including members of the Business and Consumer Services Agency, Governor's Office, attorneys, members of the public, legislators, and other governmental agencies when requested. Address conflicts surrounding cannabis laws and keep the Director, Chief Deputy Director, and Deputy Director of Legal apprised of rapid changes to state law, federal law, tribal law, international law, and the laws in other cannabis jurisdictions throughout the country and state.

30% (E) Representation

Represent DCC in administrative and other cases. Coordinate with the California Attorney General's office for appeals and litigation. Serve in a lead capacity to the junior attorneys. Conduct or participate in public meetings and hearings including, but not limited to, proposed regulation hearings and advisory committee meetings. Provide presentations when requested.

5% (E) Administration

Prepare and conduct education and training programs, develop training materials, and coordinate training with other relevant organizations in a lead capacity. Mentor junior attorneys in areas of expertise.

5% (E) Professional Development

Participate in professional development trainings, as well as tasks, meetings, and activities that support programmatic and workplace diversity, equity, and inclusion.

B. Headquarters Designation

Department Headquarters Office, Rancho Cordova, CA 95670

C. Supervision Received

The Attorney III reports directly to and receives the majority of assignments from the Assistant Chief Counsel. However, direction and assignments may come from the Director, Chief Deputy Director, and Deputy Director of Legal.

D. Supervision Exercised

None; however, the Attorney III may act in a lead capacity.

E. Administrative Responsibility

None.

F. Personal Contacts

The incumbent will have regular and continuous contact with Department staff. The incumbent will have occasional to frequent contact with the Governor's Office, professional or industry associations, the Attorney General's Office, the California Department of Human Resources, the State Personnel Board, other cannabis licensing departments, and the public.

G. Actions and Consequences

Failure to adequately perform the outlined functions and duties listed above may undermine the ability to provide effective counsel to the Department, whose highest priority is protection of the public. Failure to use sound judgement and discretion in responding to public inquiries or providing thorough and accurate information may result in harm to the general public, inaccurate legal documentation, or unjustified determinations against cannabis entities. Failure to exercise good judgement in the handling of sensitive issues may result in jeopardizing the legal authority, confidence, and integrity of the Department.

H. Functional Requirements

The incumbent is a Work Week Group SE employee and is expected to work an average of 40 hours per week, Monday through Friday, 8:00AM-5:00PM; however, may be required to work specified hours based on the business needs of the Department and/or the Division.

The incumbent is expected to work in an office setting with artificial light and temperature control. Sitting and standing requirements are consistent with work in an office setting. Daily access to and use of a computer, keyboard, mouse, and telephone is essential. Occasional lifting of 10-15 pounds may be required. In all job functions, the incumbent is responsible for creating an inclusive, safe, and secure environment that values diverse cultures, perspectives and experiences, and is free from discrimination. The incumbent is expected to provide all members of the public equitable services and treatment and work toward improving outcomes for all Californians.

I. Other Information

The incumbent shall possess the general qualifications, as described in California Code of Regulations Title 2, Section 172, which include, integrity, honesty, dependability, thoroughness, accuracy, good judgment, initiative, resourcefulness, and the ability to work cooperatively with others. This incumbent will maintain consistent and regular attendance, communicate effectively (both orally and in writing) when dealing with the general public and/or other employees, develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools, and equipment, and adhere to departmental policies and procedures.

Licensing Requirement - Attorney III must maintain an active membership in the California State Bar.

Criminal Offender Record Information (CORI). - Title 11, section 703(d) of the California Code of Regulations requires criminal record checks of all personnel who have access to CORI. Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance with CORI procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

Conflict of Interest (COI) - This position is subject to COI Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st, and within 30 days of leaving office

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature

Date

Employee's Printed Name – Classification

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature

Date

Supervisor's Printed Name – Classification