

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME: Attorney III	POSITION NUMBER: 800-310-5795-719
DIVISION/BRANCH/REGION: (UNDERLINE ALL THAT APPLY) Legal Division/ Enforcement Branch	BUREAU/SECTION/UNIT: (UNDERLINE ALL THAT APPLY) Information Governance Bureau
SUPERVISOR'S NAME: Jennifer Woodford	SUPERVISOR'S CLASS: 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)

Fingerprint Criminal Record Clearance required by the Department of Justice and the Federal Bureau of Investigation. Travel may be required.

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.

Total number of positions for which this position is responsible:

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 Enforcement Branch provides legal advice and services regarding enforcement issues to the Community Care Licensing Division (CCLD) of the Department. The CCLD oversees the licensure of numerous facility types that care for vulnerable clients. Examples include foster homes and congregate care settings for children, Adult Residential Facilities, Residential Care Facilities for the Elderly, and childcare settings.

This Branch also provides legal advice and services to the 58 counties relating to Resource Family Approval (RFA).

CONCEPT OF POSITION:

As one of the more experienced practicing attorneys, and under the general direction of an Assistant Chief Counsel, the Attorney III has broad discretion and independence in the performance of a variety of the more difficult and complex assignments in the Legal Division.

A. RESPONSIBILITIES OF POSITION:

50% -- Arrest Only Triage and consultation—Timely reviews and analyzes arrest reports, RAP and other documents to determine sufficiency of evidence for individuals seeking criminal record clearance and recommends a course of action to clients. As needed, refers matter for further investigation. Provides legal advice and counsel to the Care Provider Management Bureau on licensing enforcement laws and regulations. Reviews Child Abuse Central Index (CACI) cases, Administrative Action Record Systems (AARS) cases, California Department of Public Health (CDPH) cases and denied exemptions for sufficiency of evidence.

20% -- Policy Development, Legal Research, and Legislative Review— In consultation and coordination with, and as requested by, our Children's and Community Care Licensing Policy and Litigation Branch (CAL), analyzes and reviews existing and proposed legislation, regulations packages, and written instructions such as official forms, publications, Provider Information Notices (PINs), All County Letters (ACLs), and All County Information Notices (ACINs). Analyzes, proposes, and drafts updated policies and procedures for Enforcement. Analyzes and researches laws regarding administrative law, discovery and evidence in support of Enforcement's administrative action case work.

15% -- Public Records Act and Subpoena Responses—Reviews and prepares responses to requests made pursuant to the California Public Records Act and subpoenas, including providing advice, preparing letters, and reviewing and redacting documents. Provides legal support and guidance to clients relating to public records requests and subpoenas. Provides deposition support to clients including preparation and attendance at depositions and performs other duties as appropriate.

10% --Training—Prepares and presents trainings to Enforcement staff on a wide variety of topics, including, but not limited to, laws and regulations, policies, and procedures, and litigation and trial strategy.

5% --Special Projects and Miscellaneous— As assigned.

The above percentages of time are estimates only. The above duties and/or assigned percentages of time for the duties are subject to change and may include other duties not listed above as directed by Legal Division or other CDSS management.

B. SUPERVISION RECEIVED:

The Attorney III works under the general supervision of an Assistant Chief Counsel, and has independence and broad discretion to perform his/her duties without routine review.

C. ADMINISTRATIVE RESPONSIBILITY:

None

D. PERSONAL CONTACTS:

The Attorney III has extensive contacts within and outside the Department and must work cooperatively with a variety of individuals and organizations and maintain the confidence and respect of others.

E. ACTIONS AND CONSEQUENCES:

Failure to provide sound legal advice and exercise good judgment could result in civil liability against the Department, an adverse decision in the administrative matter and failure to adequately protect clients of licensed facilities. Errors in the application of law or precedent affects the health and safety of individuals residing in or receiving services from licensed facilities, greatly affecting the department's mission to protect these individuals.

F. OTHER INFORMATION:

The Attorney III must obtain a criminal record clearance by the Department of Justice and the Federal Bureau of Investigation. Incumbent is expected to travel (may be out of town and overnight) and arrange schedule to perform duties and meet the objectives of the program. Office space is standard office in a smoke-free environment.

(JW Rev. 5/2024)