

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

CLASSIFICATION:

Attorney III

POSITION NUMBER:

800-310-5795-007

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

Legal Division

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

Childrens and Community Care Licensing Policy Litigation

SUPERVISOR'S NAME:

Katherine Rowlett

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)

Employees assigned 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.

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 CDSS Legal Division has two Program Litigation Branches that are dedicated to providing legal advice and services to the various Divisions within the Department. The Legal Division's Program Litigation Branches are dedicated to providing legal advice and services to the Divisions of the Department responsible for administering or overseeing numerous social service programs and related functions.

CONCEPT OF POSITION:

Performs the more complex and sensitive legal work in the Department related to the programs supported by the Legal Division's Program Litigation Branches. As one of the more experienced practicing attorneys, the Attorney III is an expert in the laws, regulations, and policies relating to the Programs administered by the Department. In addition to the duties outlined below, the Attorney III is required to prepare legal pleadings and represent the Department before the Department of Health Care Services' Office of Administrative Hearings and Appeals. The Attorney III, must have the ability to perform sensitive and complex legal work producing consistent favorable results with minimal supervision.

A. RESPONSIBILITIES OF POSITION:

40% - Provides legal advice and counsel to department officials on the more difficult and complex legal matters. Performs legal research, analysis, and prepares legal opinions and policy positions. Prepares responses to inquiries from the Health and Human Services Agency, Executive staff, advocates, and the public.

20% - Makes recommendations and reviews proposed departmental legal actions (such as audits, rate actions, and program oversight) for compliance with statutes and regulations. Drafts legal pleadings and represents the Department in hearings before an administrative agency.

20% - Analyzes, drafts and reviews existing and proposed legislation and regulations packages. Reviews and analyzes implementation plans, drafts training documents, and drafts form changes.

10% - Provides litigation support to the Attorney General's Office legal staff to include assessing potential legal issues and strategic planning to avoid litigation; respond to demand letters, and reviews and responds to discovery. Regularly assists the Attorney General's Office in the preparation and prosecution of difficult litigation. Provides recommendations to management on legal problems.

5% - Reviews and prepares responses to requests made pursuant to the California Public Records Act, including providing advice, preparing letters, and reviewing and redacting documents.

5% - Provides ongoing training to other attorneys, paralegals, and CCL staff, and performs other duties as appropriate.

B. SUPERVISION RECEIVED:

The Attorney III reports to and works under the direction of an Assistant Chief Counsel and/or Sr. Assistant Chief Counsel, and has broad discretion and independence in the performance of duties.

C. ADMINISTRATIVE RESPONSIBILITY:

None.

D. PERSONAL CONTACTS:

The Attorney III has extensive contacts within and outside the department. As an expert in the laws relating to Programs administered by the Department, the Attorney III consults and advises CDSS managers, including the Director, Chief Deputy Directors, and Deputy Directors on complex legal matters. The Attorney III is in continuous contact with Deputy Attorneys General (DAG) regarding litigation to which the department is a party and assists the DAGs with legal problems and negotiations in the preparation and prosecution of difficult and complex litigation. The Attorney III may also be required to consult with county staff, and participates in negotiations with departments including, but not limited to, the Department of General Services, Health and Human Services Agency, and the Department of Health Care Services.

E. ACTIONS AND CONSEQUENCES:

The Attorney III deals with sensitive and complex issues and litigation concerning Programs administered by the Department in which tens of millions of dollars are frequently involved. Failure to provide sound legal advice and exercise good judgment could subject the Department to costly litigation or compliance action, with significant adverse fiscal and policy consequences.

F. OTHER INFORMATION:

Occasional travel, usually to assist a Deputy Attorney General on matters involving litigation, or to provide advice, training, guidance etc. to Agency, Department or county staff is required. Employees assigned to the Legal Division are subject to a criminal record background check clearance by the Department of Justice and the Federal Bureau of Investigation. Office space is standard in a smoke-free environment.

(Rev. 12/2015, KS/KY - SD)