

Duty Statement Rank and File

Section I**POSITION INFORMATION**

Print or type.

A. Current Position Number	B. Probationary Period/Job Evaluation Period	C. Form 700 Filer?
785-104-5778-xxx	12 Months	Yes
D. Incumbent Name	E. Classification/Job Title	F. Date of Hire
	Attorney	
G. Unit, Section, Division	H. Location	
Executive Division, Legal Affairs Office	Sacramento	
I. Name of Immediate Supervisor/Manager	J. Classification/Title of Immediate Supervisor/Manager	
Mary Mooney	Attorney Supervisor	
K. CBID (Bargaining Unit)	L. Time Base	M. Tenure
R02	Full Time	Permanent
N. Work Schedule	O. Work Hours	P. Telework
Monday – Friday	8:00 – 5:00	Hybrid
Q. Background Check Required	R. Job Requires Driving Automobile	S. Certification Required
☐ Yes	☐ Yes	☒ Yes Active Membership in the
☒ No	☒ No	State Bar of California
		☐ No

Section II**JOB DESCRIPTION**

Indicate the major functions and associated duties, and the percentage of time spent on each (list higher percentages first). Essential functions assigned less than 5% should be combined with other task statements. The total percentage of all functions, including marginal, must equal 100%.

DESCRIBE THE ORIGINAL SETTING AND MAJOR FUNCTIONS

The Legal Affairs Office provides legal support to the Secretary of State's office (SOS). Under the general direction of an Attorney Supervisor, Assistant Chief Counsel and Chief Counsel, the incumbent is responsible for providing legal advice and support to agency programs, Executive Staff and Division Chief(s) regarding legal issues impacting SOS.

As a recruitment and developmental class level position, incumbents assigned to Range A perform the least difficult professional legal work; however, based on appropriate Alternate Range Criteria, incumbents advance to Ranges B, C, and D and are assigned progressively more difficult professional legal work with a higher degree of independence as their competence increases and are proficient in the performance of assigned tasks. The incumbent is responsible for the full range of duties of an Attorney. Duties may encompass the areas of complex legal review relating to various documents, analyses, contracts, requests and services, administrative and civil litigation, replevin of State property, providing legal advice, drafting legislation/regulations, and other related work.

The incumbent must exercise good judgment in advising all levels of staff on a variety of issues, ensuring that advice is consistent with applicable laws, rules, policies, and

procedures; and appropriately refers existing or potential problems or issues to the Chief Counsel, Assistant Chief Counsel, Attorney Supervisor and Division Chief(s). Works on Agency legal issues as directed by the Attorney Supervisor, Assistant Chief Counsel and/or Chief Counsel including but not limited to elections administration, political reform, business filings and related programs, human resources, records management, contracts, etc.

ESSENTIAL FUNCTIONS

Percentage	Description of Duty
45%	<u>Legal Review, and Legal Program Advisor and Oversight:</u> Performs the legal work on behalf of the Agency, including legal review of various documents and contracts, legal research and opinion drafting for the agency; responds to legal correspondence and develops and updates agency procedures and policies to ensure legal compliance. Provides legal support and advice to agency management and staff on matters related to the agency's functions, roles, and responsibilities. Assist with procurement and issues relating to contracting, including negotiating, and drafting procurement documents, reviewing, and drafting contracts, representing the agency in protests, risk management, security, and intellectual property. Acts as liaison with Department of General Services, Department of Finance, Department of Technology, other departments, and the Legislature as needed.
25%	<u>Administrative Proceedings and Civil Litigation:</u> Research applicable laws, rules, and regulations in order to develop strategy and tactics in disputes and litigation; and provides legal advice to the Secretary of State, Chief Counsel, Assistant Chief Counsel and Division Chiefs, management and staff regarding division and/or agency legal issues with general or statewide impact. May represent the agency in complex administrative proceedings before the Office of Administrative Hearings, California Department of Human Resources, and the State Personnel Board. Assists the Attorney General's Office with interpretation of statutes, regulations, policies, and procedures regarding SOS' authority and roles and responsibilities. Reviews complaints, motions, and other pleadings, assists in discovery and trial, including witness and expert preparation. Represents the Agency in litigation related to various programs.
15%	<u>Legislation and Regulations:</u> Develops, interprets and/or provides legal review of various documents or information such as statewide regulations, policies, procedures, contracts, Memorandums of Understanding, loan agreements, partnership agreements and other legal documents which may include but are not limited to manuals or correspondence received from other state or local agencies; works with state and local entities to ensure legal compliance with relevant laws, regulations, and policies as needed; drafts and reviews proposed legislative changes, makes recommendations regarding division-wide and statewide impacts, and testifies before legislative committees; prepares and reviews bill analyses to ensure they meet the standards of law and the agency, and prepares written or verbal comments for submission to the Legislature setting forth the position of the Secretary of State regarding proposed legislation.
10%	<u>Document Production:</u> Reviews Public Records Act (PRA) requests, other public and legislative inquiries, and the Agency's responses. Provides legal advice and support to Division management and staff on records requests and correspondence.

	Coordinates divisional responses to subpoenas, as needed, which may involve directing staff to research and copy responsive documents, reviewing responsive records for compliance, writing affidavits, coordinating document shipping, and communicating with court or subpoenaing attorneys.
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MARGINAL FUNCTIONS

Percentage	Description of Duty
5%	<u>Legal Representation and Management Assistance:</u> Provides general legal advice relating to agency issues; assists with managing litigation, conducts outreach, and performs general administrative responsibilities. Performs other duties as required.

The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned that fall within their classification, including work in other functional areas to cover absences or relief, to equalize peak work periods or otherwise balance the workload.

Section III

EMPLOYEE/SUPERVISOR STATEMENT

EMPLOYEE'S STATEMENT: I HAVE READ AND UNDERSTAND THE DUTIES, RESPONSIBILITIES, AND PERFORMANCE EXPECTATIONS OF THE POSITION AND DISCUSSED WITH MY SUPERVISOR. I HAVE RECEIVED A COPY OF THE DUTY STATEMENT.

I CAN PERFORM THE ESSENTIAL FUNCTIONS OF THE POSITION WITH OR WITHOUT REASONABLE ACCOMMODATION: (If you believe reasonable accommodation is necessary, please initiate a discussion with either your supervisor or the Secretary of State's Human Resources Bureau).

EMPLOYEE NAME (PRINT FULL NAME)	EMPLOYEE SIGNATURE	DATE SIGNED
➡	➡	➡

SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THIS POSITION WITH THE EMPLOYEE.

SUPERVISOR NAME (PRINT FULL NAME)	SUPERVISOR SIGNATURE	DATE SIGNED
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