

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

VACANT

CLASSIFICATION:

Attorney IV

POSITION NUMBER:

800-310-5780-955

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

Legal Division/ITAL Branch

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

Technology & Contracts Bureau

SUPERVISOR'S NAME:

Todd Eberle

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.

The Attorney IV may serve in a lead capacity over work primarily performed by an Attorney I or Attorney III. The Attorney IV also may direct the work of one or more legal analysts and/or clerical staff.

MISSION OF ORGANIZATIONAL UNIT:

The CDSS Legal Division's Information, Technology and Administrative Litigation (ITAL) Branch is dedicated to providing legal advice and services to the various Divisions within the Department responsible for administering or overseeing numerous social service programs.

CONCEPT OF POSITION:

The Attorney IV independently represents the Department in the most complicated, politically sensitive, and fiscally significant legal work related to the programs and functions supported by the ITAL Branch. As one of the most highly specialized and experienced attorneys, the Attorney IV is an expert in a broad range of legal issues impacting the Department. With minimal supervision, the Attorney IV provides expert advice and counsel to the Department's Directorate, management and staff on all aspects of business transactions, procurement, contracting, compliance, falling within the functional responsibility of the ITAL Branch.

A. RESPONSIBILITIES OF POSITION:**ESSENTIAL FUNCTIONS:**

45% - Represents the Department in the most difficult, complex, and politically sensitive matters that arise within the functional responsibility of the ITAL Branch, including providing highly specialized and expert legal advice and counsel to the Director, Deputy Directors, and other CDSS management on all phases of contract development and enforcement. Drafts, negotiates, and interprets contracts, interagency agreements, grants, and other binding agreements with state and local agencies, vendors, service providers, and independent contractors in compliance with state and federal law, the State Contracting Manual, and state policy. Provides recommendations and identifies solutions to highly sensitive and complex business transactions. Performs legal research, analysis, and prepares legal opinions and policy positions. Provides leadership and guidance to other contract attorneys within the Branch.

20% - Represents CDSS at meetings, conferences and hearings that include state, federal and county representatives, stakeholders, and others. Collaboratively works with the Department of General Services, the Office of the Attorney General, the California Health and Human Services Agency, and other state and federal agencies on legal matters pertaining to procurements, contracting and other related areas. Independently drafts legal opinions, contracts, correspondence, confidential documents and other documents. Performs substantive review and oversight of litigation involving Departmental programs on cases represented by the Office of the Attorney General. Analyzes and provides recommendations regarding Foster Family Home and Small Family Home (FSH) Insurance Fund legal matters.

15% - Analyzes proposed legislation and its effect on existing contracting laws, policy and regulations. Writes, proposes and/or reviews statutory provisions; develops and reviews proposed regulations; advises the CDSS Legislative Office and the Directorate and attends legislative and other public hearings on pending legislation and proposed regulations.

10% - Acts as the Department's liaison to the Office of the Attorney General for civil litigation. Assesses potential legal issues and develops strategic planning to avoid litigation; responds to demand letters, and reviews and responds to discovery. Assists the Attorney General's Office with interpretation of statutes, regulations, policies and procedures regarding the Department's authority, and roles and responsibilities.

MARGINAL FUNCTIONS:

10% - Develops and conducts statewide training and guidance to Department staff including Legal Division staff on State procurement and contracting rules, drafting and review of statements of work, and service level agreements. Responsible for the development, modification and revision of training materials and curriculum. Organizes and reviews training conducted by other contract attorneys within the Branch. Regularly reviews and evaluates policy, statute and regulatory changes in order to incorporate into the training curriculum.

B. SUPERVISION RECEIVED:

The Attorney IV reports to and receives general direction from a Senior Assistant Chief Counsel and/or Assistant Chief Counsel, but has independence and broad discretion to perform his/her duties without routine review.

C. ADMINISTRATIVE RESPONSIBILITY:

None, however the Attorney IV may be assigned to act in the absence of the Supervising Attorney, Assistant Chief Counsel and/or Senior Assistant Chief Counsel. The Attorney IV is responsible for receipt and completion of assignments in their specialized area.

D. PERSONAL CONTACTS:

The Attorney IV has extensive contacts within and outside the department. As an expert in the laws relating to administrative activities supporting the programs administered by the Department, the Attorney IV consults and advises CDSS managers, including the Director and Deputy Directors on complex legal matters. Other contacts within the administration include the California Health and Human Services Agency, the Department of Finance, and the Governor's Office. The Attorney IV also has extensive contact with stakeholders, advocates, other government and private attorneys, accountants, lobbyists and county residents.

E. ACTIONS AND CONSEQUENCES:

The Attorney IV deals with the most sensitive and complex issues legal issues related to the administrative activities supporting the Programs administered by the Department, frequently involving millions of dollars. 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, including overnight, for purposes of working collaboratively with other Legal Division Staff providing advice, training, guidance, etc. to Agency, Department or county staff or to assist a Deputy Attorney General on matters involving litigation 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 at headquarters is standard in a smoke-free environment. This position is eligible for telework under Government Code section 14200 for eligible applicants residing in California.