

DUTY STATEMENT

CDCR INSTITUTION OR DEPARTMENT California Correctional Health Care Services		POSITION NUMBER (Agency – Unit – Class – Serial) 042-060-5780-006				
UNIT NAME AND CITY LOCATED CCHCS Office of Legal Affairs, Elk Grove		CLASSIFICATION TITLE Attorney IV				
		WORKING TITLE Attorney IV				
		COI Yes ☒ No ☐	WORK WEEK GROUP SE	CBID R02	TENURE P	TIME BASE FT
SCHEDULE (WORKING DAYS AND WORKING HOURS) 8:00 a.m. to 5:00 p.m. (Approximate only for FLSA exempt classifications)		SPECIFIC LOCATION ASSIGNED TO 8280 Longleaf Drive, Elk Grove, California				
INCUMBENT (If known)		EFFECTIVE DATE				
California Department of Corrections and Rehabilitation (CDCR) and California Correctional Health Care Services (CCHCS) are committed to transforming the correctional landscape to create safer, more professional, and more fulfilling environments for our employees, the incarcerated population, and those supervised in our communities. Through systemwide improvements grounded in proven and emerging practices, we aim to strengthen rehabilitation, enhance workplace satisfaction, and support successful reentry into the community through our institutions, parole, and community partnerships. Our shared mission is to promote safety, wellness, and human dignity while fostering positive change for all those who live and work within our institutions and communities. CDCR and CCHCS are committed to building an inclusive respectful workplace. We are determined to attract and hire candidates from all communities and empower employees from a variety of backgrounds, perspectives, and personal experiences. We are proud to foster inclusion and drive collaborative efforts at all levels of the Department. Across our organization, our programs work cooperatively to provide the highest level of health care possible to a diverse correctional population. We encourage creativity and ingenuity while treating others fairly, honestly, and with respect, all of which are critical to the success of the CDCR and CCHCS mission.						
PRIMARY DOMAIN:						
Under general direction of the Assistant Chief Counsel or designee, the Attorney IV serves as an advisor at one of the highest levels to and representative for the Receiver appointed by the United States District Court in the case of <i>Plata v. Newsom</i> regarding the more sensitive and complex legal matters.						
% of time performing duties	Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. (Use addition sheet if necessary)					
	ESSENTIAL FUNCTIONS					
40%	With broad discretion, serves as house counsel to CCHCS Corrections Services on various matters, including the following: Provides timely updates and essential insights on ongoing litigation, emerging issues, and potential legal risks, particularly in the <i>Armstrong v. Newsom</i> case. Responsibilities include conducting comprehensive legal research, advising clients, and representing staff on behalf of CCHCS in the <i>Armstrong</i> matter. Reviews the appropriate standard for determinations of class members' accommodations. Reconciles all patient-issued DME against <i>Armstrong</i> Codes. . Reviews Joint Case Status Statement responses, advocacy letter requests, Armstrong Monitoring Reports and memoranda to the field related to <i>Armstrong</i> . Reviews the <i>Armstrong</i> Remedial Plan (ARP) to determine what services and devices CCHCS is responsible for providing.					

20%	Provides counsel to Corrections Services' Compliance and Reporting Unit regarding compliance with the Disability Placement Program and Developmental Disability Program, reviews advocacy letter responses, and provides legal representation during <i>Armstrong</i> Monitoring Tours at designated ADA cluster institutions.
15%	Provides counsel to the Corrections Services' Health Care Placement Oversight Program on various matters, including the following: Provides advice regarding factors taken into consideration with <i>Coleman v. Newsom</i> , <i>Plata</i> , and <i>Armstrong</i> class member transfers. Addresses issues regarding the Psychiatric Inpatient Program, Least Restrictive Housing determination process. Reviews documents submitted by courts and other law enforcement agencies used to remand patients to CDCR custody and/or to make classification, custodial, Americans with Disabilities Act (ADA), or <i>Coleman</i> housing determinations. Conducts policy reviews. Guides Specialized Medical Bed placement determinations. Provides advice regarding <i>Coleman</i> class members' health care on issues that intersect with the custody aspect of mental health and medical placements and transfers.
10%	Provides counsel to Corrections Services' Field Operations, attending and providing counsel at various internal and external stakeholder workgroup meetings.
5%	Provides counsel to Corrections Services' Accreditation and Licensing Compliance Unit related to licensing regulations and follows up with licensed facilities when questions arise regarding supplying the California Department of Public Health with documents and information related to interpretation of regulatory requirements. Conducts legal review related to contracts with Joint Commission Resources for consulting purposes. Works with Joint Commission regarding applications, interpretation of standards, and elements of performance as the Department seeks and maintains accreditation.
5%	Provides oral and written advice to the Receiver on legal matters pertaining to their powers, functions, and obligations. Provides advice to the Receiver, their executive staff, and their leadership team regarding California's laws and regulations. Makes appearances on behalf of CCHCS in court-ordered settlement proceedings and other dispute resolution processes. Coordinates in-house post litigation activity on behalf of the Receiver and CCHCS. Coordinates and represents the Receiver and CCHCS with court and Receiver-ordered activity and matters requiring coordination between the <i>Plata</i> , <i>Coleman</i> , <i>Armstrong</i> , and <i>Clark</i> federal courts, and matters involving the powers, functions, obligations, operations, and transactions between the receivership and State of California.
5%	Other duties as required, including in-state travel.
	KNOWLEDGE AND ABILITIES <i>Knowledge of:</i> Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced. <i>Ability to:</i> Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively

with a variety of individuals, organizations and maintain the confidence and respect of others; .

DESIRABLE QUALIFICATIONS

Perform legal research; analyze and apply legal principles and facts to legal issues; analyze situations accurately and adopt an effective course of action; present statements of law clearly and logically in written and verbal form; exercise good judgment and make sound decisions on legal issues and in dealing with others; monitor current and proposed legislation relating to assigned responsibility; draft rules and regulations and proposed legislative measures; write comments or arguments appropriately within a political and sensitive environment; represent the Receiver at public hearings and in other forums; establish and maintain project priorities; and establish and maintain effective working relationships with clients and colleagues in the performance of required duties. Enter secure areas of prisons and other facilities where there is direct contact with inmates. Ability to act independently and exercise open-mindedness, flexibility, and tact.

Background and experience with various California prison health care class actions and their requirements and inter-relationships (including *Plata v. Newsom*; *Armstrong v. Newsom*; *Coleman v. Newsom*; and *Clark v. Newsom*).

Understanding of the requirements for litigating cases in state and federal court.

Background and experience in medical-legal issues, ability to understand medical terminology and communicate with healthcare providers on medical issues. Background and experience in providing advice to governmental program areas and staff.

Understanding of the role of the federal court and the Court expert appointed in the *Armstrong v. Newsom* case, and the distinctions and division of responsibility for inmate care and housing between CDCR and the Receiver's office with respect to disabled inmate patients. Requires thorough understanding of the *Armstrong* Remedial Plan and Title II of the Americans with Disabilities Act.

Understanding of the role of the federal court and the receivership created thereby in the *Plata* case, and the distinctions and division of responsibility for inmate care and housing between CDCR and the Receiver's office.

Experience and ability to work in an unsupervised setting and provide advice and suggest solutions to program staff in a short timeframe.

OTHER DOMAINS

SPECIAL REQUIREMENTS OR CONTINUING EDUCATION REQUIREMENT

- CCHCS does not recognize hostages for bargaining purposes. CCHCS and CDCR have a "NO HOSTAGE" policy and all incarcerated patients, visitors, nonemployees, and employees shall be made aware of this.

SPECIAL PHYSICAL CHARACTERISTICS

- Must be able to work long and arduous hours.

SPECIAL PERSONAL CHARACTERISTICS

- Influence change and strengthen the community. Set an example each day through positive and pro-social role modeling, utilizing dynamic security concepts.

	• Willingness to play a significant role in the collaborative efforts toward rehabilitation and public safety enhancement. • Ability to facilitate conversations as a coach and mentor, engaging in a respectful and understanding manner. • Ability to build trust, improve communication, and assist with the transformation of correctional culture.	
SUPERVISOR'S STATEMENT: <i>I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE</i>		
SUPERVISOR'S NAME (Print)	SUPERVISOR'S SIGNATURE	DATE
EMPLOYEE'S STATEMENT: <i>I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT</i>		
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, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise balance the workload.		
EMPLOYEE'S NAME (Print)	EMPLOYEE'S SIGNATURE	DATE