Department of Consumer Affairs
Position Duty Statement
HR-041 (new 7/2015)

Classification Title Attorney III	**Board/Bureau/Division** Legal Affairs Division
Working Title Attorney III	**Office/Unit/Section/Geographic Location** Legal Affairs / Sacramento
Position Number 610-210-5795-XXX	**Name and Effective Date**

Under the general direction of an Assistant Chief Counsel, the Attorney III provides the full range of legal services to the Department and to the Department's regulatory boards and/or bureaus. The Attorney III will be expected to develop expertise in each assigned program's licensing and enforcement laws, and with the requirements of the Administrative Procedures Act. The Attorney III must possess the ability to interact independently, professionally and courteously with all staff, including the Department's boards, bureaus and programs, while performing multiple tasks that often require stringent deadlines. Specific duties include, but are not limited to:

A. Specific Assignments [Essential (E) / Marginal (M) Functions]

35% (E) Legal Consultation and Advice
- Identify the nature of legal issues, generate alternatives, and implement solutions and approaches that successfully address the issues.
- Advise clients on substance and form of regulations and contracts.
- Advise clients regarding Administrative Procedures Act and basis for administrative actions.
- Advise clients on laws and regulations pertinent to their regulatory activities.
- Advise industry regarding laws, regulations and proposed legislation.
- Advise clients and departmental staff on administrative personnel matters.
- Advise clients regarding the basis for Criminal Actions.
- Communicate legal principles, facts and position(s) to various audiences and forums in a courteous and professional tone and manner.
- Develop legislative proposals, and research and report on issues before the Legislature

30% (E) Legal Opinions
- Perform research and provide oral and written opinions to the Director, his/her staff and constituent agencies (clients).
- Issue letter opinions in the form of suggested responses for the Director, his/her staff and constituent agencies to attorneys, members of the public, legislators and staffs, and other governmental agencies.
- Render oral opinions on issues raised at board or industry meetings.

20% (E) Document Preparation and Review
- Review and finalize documents for rejection of employees during probation and for punitive actions against employees undertaken by the department and its constituent agencies.
- Draft, review, and process contracts and regulations.
- Review and draft decisions, orders regarding Administrative Procedure Act.
- Review press releases, correspondence, pamphlets, law publications, newsletters.
- Research and prepare responses to letters from the public, industry, other governmental units, etc. on behalf of clients or the Governor's Office.

- Draft, review and prepare responses to Public Records Act requests and subpoenas.

10% (E) Representation

- Attend Board / Industry meetings.
- Represent the Department before Administrative Law Judges, the State Personnel Board, or other similar tribunals in administrative personnel matters.
- Conduct public hearings on proposed regulations.
- Attend legislative hearings on behalf of clients.
- Appear and defend depositions and coordinate litigation with the Attorney General's Office.

5% (E) Training and Publications

- Prepare and conduct education and training programs, develop training materials, and coordinate training with other relevant organizations. Mentor junior attorneys in areas of expertise.
- Research and draft Department-wide legal memoranda and guidance materials on legal matters affecting the Department and other clients.

B. Supervision Received

The Attorney III reports directly to, and receives the majority of assignments from, an Assistant Chief Counsel. However, direction and assignments may come from the Deputy Director, Assistant Deputy Director, Assistant Chief Counsel, or an Attorney III (Lead).

C. Supervision Exercised

None

D. Administrative Responsibility

None

E. Personal Contacts

The Attorney III has regular and continuous contact with board and/or bureau management and departmental management and staff, and occasional to frequent contact with the Governor's Office, professional or industry associations, the Attorney General's Office, the Department of Human Resources, the State Personnel Board and the public.

F. Actions and Consequences

Failure to adequately execute these duties would undermine the efforts of the Legal Affairs Division to provide effective counsel to departmental clients, whose highest priority is protection of the public. It would also result in inaccurate or incomplete advice or assistance, with the possibility that recipients might take positions or implement policies that are not advantageous or legally sound.

G. Functional Requirements

The incumbent works in an office setting in the Legal Affairs Division suite, with artificial light and temperature control. The ability to use a personal computer is

essential. The position requires bending and stooping to retrieve files; occasional light lifting, up to 10 - 15 lbs.

H. Other Information

Licensing Requirement: Incumbent must maintain active membership in the California State Bar.

The incumbent is required to travel throughout the state to attend public meetings by various methods of transportation.

This position is subject to Title 16, section 3830 of the California Code of Regulations, the Department of Consumer Affairs' Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st, and within 30 days of leaving office.

The incumbent is a Work Week Group SE employee and is expected to work an average of 40 hours per week each year, and may be required to work specified hours based on the business needs of the office.

In all job functions, employees are responsible for creating an inclusive, safe, and secure work environment that values diverse cultures, perspectives, and experiences, and is free from discrimination. Employees are expected to provide all members of the public equitable services and treatment, collaborate with underserved communities and tribal governments, and work toward improving outcomes for all Californians.

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature Date

Employee's Printed Name, Classification

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature Date

Printed Name, Classification

Revised: 01/2020