STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

# POSITION DUTY STATEMENT

DOT PM-0924 (REV 01/2025)

| CLASSIFICATION TITLE | OFFICE/BRANCH/SECTION | |
|---|---|---|
| Attorney | D-42/LEGAL DIVISION/SACRAMENTO | |
| WORKING TITLE | POSITION NUMBER | REVISION DATE |
| Attorney | 701-001-5778-XXX | 07/14/2025 |

As a valued member of the Caltrans team, you make it possible to improve lives and communities through transportation.

## GENERAL STATEMENT:

Under general direction of a Deputy Chief Counsel, Assistant Chief Counsel and/or Attorney Supervisor, the Attorney studies, interprets and applies laws, court decisions, and other authorities in the preparation of cases, opinions and briefs; prepares and presents cases for trial; and/or does a variety of transactional work.

## CORE COMPETENCIES:

As an Attorney, the incumbent is expected to become proficient in the following competencies as described below in order to successfully perform the essential functions of the job, while adhering to and promoting the Department's Mission, Vision, Values, Strategic Imperatives and Goals. Effective development of the identified Core Competencies fosters the advancement of the following Leadership Competencies: Change Commitment, Risk Appetite, Self-Development/Growth, Conflict Management, Relationship Building, Organizational Awareness, Communication, Strategic Perspective, and Results Driven.

- **Learning on the Fly:** Learns quickly, is open to change, experiments, and is flexible. (Employee Excellence - Innovation)
- **Decision Making:** Makes critical and timely decisions. Takes charge. Supports appropriate risk. Makes challenging and appropriate decisions. (Employee Excellence - Innovation)
- **Ethics and Integrity:** Demonstrated concern to be perceived as responsible, reliable, and trustworthy. Respects the confidentiality of information or concern shared by others. Honest and forthright. Conforms to accepted standards of conduct. (Employee Excellence - Innovation)
- **Problem-solving and Decision-making :** Identifies problems and uses logical analysis to find information, understand causes, and evaluate and select or recommend best possible courses of action. (Employee Excellence - Innovation)
- **Teamwork and Collaboration:** Sets team structure. Organizes, leads, and facilitates team activities. Promotes team cooperation and encourages participation. Capable of cross functionality and working well with others on a team to achieve personal goals, team goals, and organizational goals. Takes responsibility for individual actions in order to achieve consistent results. (Employee Excellence - Innovation)
- **Customer Focus:** Considers, prioritizes, and takes action on the needs of both internal and external customers. (Employee Excellence - Innovation)
- **Interpersonal Effectiveness :** Effectively and appropriately interacts and communicates with others to build positive, constructive, professional relationships. Tailors communication style based on the audience. Provides and is receptive to feedback. (Employee Excellence - Innovation)
- **Analytical Skills:** Approaches problems using a logical, systematic, and sequential approach. Weighs priorities and recognizes underlying issues. (Employee Excellence - Innovation)
- **Thoroughness:** Ensures that work and information is complete and accurate. Ensures that assignment goals, objectives, and completion dates are met. Documents and reports on work progress. (Employee Excellence - Innovation)

## TYPICAL DUTIES:

| Percentage Essential (E)/Marginal (M)[1] | Job Description |
|---|---|

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|---|---|---|
| 40% | E | ANALYSIS - Analyze a case file (e.g., investigative reports, discovery materials, correspondence, administrative record, trial or deposition transcripts) and identify issues raised to determine appropriate further action. Analyze legal authorities to determine their applicability to a particular case and/or statute, policy, or issue. Analyze, review, or draft terms and conditions of contracts and proposed amendments to contracts, and suggest changes as appropriate.<br>RESEARCH - Research statutes, regulations, court decisions, administrative board decisions, and other legal authorities pertinent to a particular case or issue, using both text and computer-based resources to provide legal advice and advocacy for the department. Verify that the law cited in any written work is valid authority (i.e.,"Shepardize"), using both text and computer-based resources.<br>DISCOVERY - Coordinate production of discoverable documents or declarations to litigation discovery requests to provide legal representation and advocacy for the department. Analyze documents responsive to litigation discovery requests to determine any applicable privileges and objections to provide legal representation and advocacy for the department utilizing appropriate oral and written communication skills.<br>DOCUMENT PREPARATION - Assists in drafting litigation, transactional, and advisory documents, including motions, briefs, memoranda, settlement agreements, reports, letters, and other legal documents to provide legal advice to the advocacy for the department using appropriate written communication skills and ethical considerations. Edit written work (e.g., for content, tone, organization, grammar, and format) to produce a final version.<br>REPRESENTATION - Prepares and tries cases in trial courts, including tort claims or lawsuits, condemnation and inverse condemnation actions, construction contract claims, environmental lawsuits or other cases arising out of the work of the Department of Transportation. Represent the Department at difficult and complex hearings to protect the legal interests of the Department and reduce legal risk utilizing oral and written advocacy skills, interpersonal skills, negotiation skills, personal knowledge, relevant training, laws, regulations, and Departmental policies and practices. Consult with client on a pending matter or case in order to develop a strategy, prepare witnesses, or review evidence. Participate in depositions, settlement negotiations, trials, or other civil, criminal, or administrative proceedings. Participate in selecting and/or preparing witnesses for depositions, trials, or administrative proceedings. |
| 40% | E | COMMUNICATION - Draft memoranda to colleagues and/or superiors seeking or providing advice, recommendations, comments, etc. Draft correspondence to outside entities (e.g., clients, opposing counsel or other interested parties). Prepare written outlines to ensure complete, accurate, and effective oral presentations (e.g., for client meetings, court appearances, and depositions). Orally communicate with colleagues and supervisors regarding procedural and substantive case issues, strategy/tactics, court decisions, new legislation, office policies, and client relations. Orally communicate with clients, potential clients, and/or witnesses regarding a case or matter. ETHICS - Maintain compliance with applicable ethical and professional standards while providing legal representation and advocacy for the department. |
| 10% | E | EDUCATION - Keep current on developments in particular areas of law in order to acquire and/or maintain knowledge. (e.g., membership in Bar associations, subscription to magazines, forums). |
| 10% | M | Use appropriate time management methods to ensure work is completed properly and on time (e.g., calendaring, monitoring the status of all assignments, and anticipating future tasks). Responsible for ensuring office, case files and calendars are kept in an organized manner to promote professional and efficient work habits. |

[1]ESSENTIAL FUNCTIONS are the core duties of the position that cannot be reassigned.
MARGINAL FUNCTIONS are the minor tasks of the position that can be assigned to others.

SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS

None. Functional direction over Legal Secretaries and other clerical support staff.

KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

KNOWLEDGE OF: Legal principles, practices, and procedures associated with the following: eminent domain and inverse condemnation, including methods of appraisal of property and negotiations of rights of way; public entity tort liability; contracts and procurement, including the State Contract Act; the conduct and obligations of public agencies, officials and officers; laws, policies, duties and procedures associated with employment law including employee conduct, health and safety, labor relations and discipline; environmental law and policy; and state and federal constitutional provisions applicable to the Department's operations; California law relating to acquisition, financing, administration, and construction of toll bridges; law governing the relations of the Department of Transportation with public utilities and public agencies; trial and appellate court procedure and of the rules of evidence; methods used in appraising real property and of the problems involved in negotiating for rights of way, and

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safety, health affirmative actions, and labor relations and the processes available to meet these program objectives.

ABILITY TO: Prepare and conduct actions and proceedings before courts and administrative bodies; analyze and appraise legal problems and apply legal principles and apply legal principles and precedents to particular sets of facts; plan and direct a program of complex legal work and direct the work of assistants; write clear and concise reports and opinions and dictate difficult legal correspondence; present oral statements of fact, law, and argument clearly and logically; maintain the confidence and respect of members of the legal profession and other persons; and effectively contribute to the Department's safety, health, health affirmative actions, and labor relations and the processes available to meet these program objectives.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

The Attorney independently prepares legal documents, letters and memoranda under his/her signature and is responsible for their content. Errors could result in dismissal of a court case, loss of millions of dollars, court sanctions, and/or loss of credibility with the courts, other public agencies and the public.

PUBLIC AND INTERNAL CONTACTS

The incumbent must consult with all levels of staff in the Legal Division and other administrative programs; have a wide variety of contacts with court staff, judges, departmental staff, private industry, and other governmental agency representatives; and outside witnesses, which requires diplomacy, tact, and professionalism.

PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

Must be able to work appropriately and effectively under stress, manage complex and varied workload and meet deadlines. Ability to work on a keyboard; manual dexterity; sitting for long periods; develop and maintain cooperative working relationships; ability to focus for long periods of time. Requires occasional bending, stooping and kneeling.

WORK ENVIRONMENT

This position may be eligible for telework. The amount of telework is at the discretion of the Department and based on Caltrans's evolving telework policy. Caltrans supports telework, recognizing that in-person attendance may be required based on operational needs. Employees are expected to be able to report to their worksites with minimum notification if an urgent need notification if an urgent need arises. The selected candidate will be required to commute to the headquartered location as needed to meet operational needs. Business travel may be required, and reimbursement considers an employee's designated headquartered location, primary residence, and may be subject to CalHR regulations or applicable bargaining unit contract provisions. All commute expenses to the headquartered location will be the responsibility of the selected candidate.

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I have read, understand and can perform the duties listed above. (If you believe you may require reasonable accommodation, please discuss this with your hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

I agree that by providing my electronic signature for this form, I agree to conduct business transactions by electronic means and that my electronic signature is the legal binding equivalent to my handwritten signature. I hereby agree that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

| EMPLOYEE (Print) | |
|---|---|
| EMPLOYEE (Signature) | DATE |

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

| SUPERVISOR (Print)<br>ALAN M. STEINBERG | |
|---|---|
| SUPERVISOR (Signature) | DATE |

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