State of California Department of Fish and Wildlife
DUTY STATEMENT
DFW 242A (REV. 07/18/22)

☒ **PROPOSED**

☐ **CURRENT**

Department Statement:

California is one of the most biodiverse places on the planet. As such, the Department of Fish and Wildlife (CDFW) values diverse employees working together to protect nature for all Californians. CDFW is committed to fostering an inclusive work environment where all backgrounds, cultures, and personal experiences can thrive and connect others to our critical mission.

INSTRUCTIONS: A duty statement and organizational chart must be submitted with each Request for Personnel Action, Form 242	EFFECTIVE DATE

DFW DIVISION/BRANCH/REGION/OFFICE Executive Office/Office of General Counsel (OGC)	POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5780-021
UNIT NAME AND LOCATION Office of General Counsel, Sacramento	CLASS TITLE Attorney IV
INCUMBENT	CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5780-021
BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS Under the general direction of an Assistant Chief Counsel. This position will work with the General Counsel and other various levels of Attorney within the Department of Fish and Wildlife (CDFW), Office of the General Counsel. The position will independently perform complex and sensitive legal work with broad discretion, with a focus on the California Endangered Species Act (CESA) and implementation of AB 1319 (2025-2026).	

PERCENTAGE 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 THE REVERSE SIDE IF NECESSARY.)
30%	**ESSENTIAL FUNCTIONS**: Independently perform more complex and sensitive professional legal work. Conduct complex legal research and provide legal counsel related to CDFW's management and conservation of natural resources, including counsel regarding the Fish and Game Code, its implementing regulations, and related laws. In particular, this will include acting in a lead capacity advising the Department, including Executive Staff, on implementation of AB 1319 (2025-2026) and monitoring actions by the federal government that could result in a decrease in endangered or threatened species protections, analyzing impacts to federally listed species to determine if loss of federal protections would substantially impact the species and if listing those species as provisional candidates under CESA would significantly reduce impacts. Coordinate with CDFW staff to establish criteria and considerations for adding federal listed species to the list of provisional candidates under CESA. Coordinate CDFW's response to federal listing, permitting or interagency consultation, and status review actions. Support staff in their analysis of existing information on the current condition of species including information on population trends, distribution, management (including existing or modified federal Endangered Species Act permitting or interagency consultation processes), mitigation requirements, and the degree and immediacy of impacts to these species in relation to all existing threats. Provide legal support to CDFW programs and provide input to Fish and Game Commission staff to prepare and publish findings in the California Regulatory Notice Register for species deemed to be provisional candidate species pursuant to CESA. Provide legal support for staff presenting findings for provisional candidate listings in-person to the Fish and Game Commission (Commission) as needed. Work with CDFW staff from Branches and Regions to ensure consistent templates and processing standards related to provisional candidate monitoring, adoption of findings, and reporting. Research, draft, edit, and finalize formal and informal opinions and advice memoranda for CDFW staff regarding the most complex legal matters in which CDFW is involved or interested, ensuring all work product is timely, responsive, accurate, complete, and includes legally permissible alternative courses of action and analysis of alternatives where appropriate.

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30%	Negotiate, draft and review the most complex documents, permits, and agreements on behalf of CDFW regarding legal issues related to management and conservation of natural resources. Participating with CDFW staff in complex proceedings, meetings and negotiations concerning CDFW actions and programs, including, providing legal support for staff preparing petition evaluation reports and status reviews for provisional candidate species and petitioned candidate species and providing support at in-person Fish and Game Commission meetings and with highly complex, sensitive, or difficult California Endangered Species Act permitting efforts related to species affected by AB 1319.
20%	Providing legal support for staff monitoring compliance with statutory and regulatory requirements and permit conditions. Independently represent the Department in complex administrative hearings. Exercise broad discretion to develop and pursue enforcement actions in collaboration with the Law Enforcement Division, other CDFW staff, and state or local prosecutors. Responsibilities include reviewing and summarizing reports and evidence, drafting pleadings, arguing motions, preparing witnesses, managing discovery, and conducting hearings. Coordinate and provide ongoing legal support with high-level prosecutors and the Office of the Attorney General as necessary for case development and coordination.
10%	Track, review, and provide ongoing legal support for cases in which the Office of the Attorney General (OAG) is representing CDFW, including reviewing pleadings, assisting with discovery, advising on case strategy, and preparing witnesses. Offer legal expertise to ensure that cases are managed efficiently and effectively, helping to shape litigation strategies in complex legal disputes.
5%	Review and respond to Public Records Act (PRA) requests, subpoenas, and document requests, exercising independent judgment to determine exemptions and privileges. Provide expert legal guidance on the processing of these requests, ensuring compliance with legal requirements. Research and draft analysis of bills, including highly complex or controversial bills pertaining to CDFW interests.
	NON-ESSENTIAL FUNCTIONS:
5%	Perform administrative tasks, including tracking of time worked; attend career development and training programs, seminars as appropriate to contribute to the achievement of Office of the General Counsel's goals and objectives.
	DESIRABLE QUALIFICATIONS:
	Special Personal Characteristics: Ability to organize, set priorities, and work independently under general supervision. Ability to work under pressure and successfully handle multiple competing complex priorities. Develop positive working relationships to accomplish desired goals and objectives and excel at working effectively in both an independent and team environment. Work independently, cooperatively, and effectively with various stakeholders and federal, state and local agencies. **Interpersonal Skills**: Excellent oral and written communication skills; interpersonal skills; exceptional organizational skills; strong attention to detail; ability to effectively handle deadlines; effective public speaking skills; willingness to travel; and professional attitude. **WORKING CONDITIONS**: Maintain normal and consistent work hours, averaging 40 hours per week. Work in excess of 40 hours per week is expected, when necessary, to complete assignments in a timely manner. Travel to all parts of the State as required, including travel that may involve one or more overnight stays, as required (<5%).

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

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PRINT SUPERVISOR'S NAME	**SUPERVISOR'S SIGNATURE**	**DATE**

EMPLOYEE'S STATEMENT: **I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT.**
I HAVE READ AND UNDERSTAND THE DUTIES AND ESSENTIAL FUNCTIONS OF THE POSITION AND CAN PERFORM THESE DUTIES WITH OR WITHOUT REASONABLE ACCOMMODATION.

PRINT EMPLOYEE'S NAME	**EMPLOYEE'S SIGNATURE**	**DATE**