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	POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5778-028
UNIT NAME AND LOCATION Office of the General Counsel (OGC), Sacramento	CLASS TITLE Attorney
INCUMBENT	CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) 565-007-5778-028

BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS

Under the direction of an Assistant Chief Counsel, the Attorney will work with the General Counsel and other attorneys within OGC. The incumbent will work closely with CDFW's Law Enforcement Division and Cannabis Program, providing legal and strategic support for CDFW's cannabis-related enforcement program, working closely with law enforcement and program staff to develop enforcement cases, pursue administrative actions, negotiate settlements, and coordinate with allied agencies. The position also advises staff on natural resource and Fish and Game Code issues, oversees litigation handled by the Attorney General's Office, reviews public records and subpoena responses, and supports permitting, regulatory, and conservation initiatives.

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.)
	ESSENTIAL FUNCTIONS:
40%	Collaborate with program staff and law enforcement to develop enforcement cases, including reviewing and evaluating evidence, identifying legal enforcement issues, and determining the appropriate enforcement strategies and case disposition. Handle, and support other attorneys in handling, administrative enforcement matters for violations of the Fish and Game Code (FGC), and other environmental crimes, committed in conjunction with cannabis cultivation, with a primary focus on actions authorized by FGC section 12025. Coordinate with allied state and local agencies to identify targets and synchronize enforcement efforts, which may include negotiating global settlements or providing litigation support to other agency attorneys and district attorneys.
30%	Conduct research and provide legal counsel to Cannabis Program and Law Enforcement Division staff related to CDFW's management and conservation of natural resources, including counsel regarding the FGC, it's implementing regulations, and related laws. Ensure counsel is provided in a timely, responsive, accurate, complete manner, and present legally permissible alternative courses of action and analysis of alternatives where appropriate. Confer with CDFW staff to gather necessary background, interpretation, and context. Meet regularly with regional enforcement and permitting staff to advise them on enforcement matters, and regulatory and permitting issues.
10%	Negotiate, draft, and review documents, permits, and agreements on behalf of CDFW regarding legal issues related to CDFW's management and conservation of natural resources. Assist and participate with CDFW staff in proceedings, meetings, and negotiations concerning CDFW actions and programs. Prepare staff for court testimony.
10%	Process requests made pursuant to the Public Records Act, document subpoenas, and/or requests for production of documents. Draft correspondence to requesters and CDFW staff, review documents to determine if exemptions from disclosure or privileges apply.

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5%	Oversee CDFW-related litigation and lawsuits handled by the Office of the Attorney General (OAG). Responsible for providing subject matter expertise and policy direction to the OAG and assisting CDFW staff with managing the administrative record and discovery. **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 the Office of the General Counsel's goals and objectives. **Special Personal Characteristics:** Demonstrated ability to independently and effectively perform and complete work; set and meet priorities; work with technical experts; negotiate and handle difficult situations with thoughtfulness and tact. **Interpersonal Skills:** Excellent oral and written communication skills; sound judgment; exceptional organizational skills; strong attention to detail; ability to effectively handle deadlines; collegial 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. Position may require the incumbent to sit for long periods of time. Light lifting or reaching may be required, though reasonable accommodation may be provided upon request. Travel to all parts of the State via private or public transportation may be required. If required, travel may involve one or more overnight stays.

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

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**