



State of California
 California Environmental Protection Agency
 Office of Environmental Health Hazard Assessment

DUTY STATEMENT

CURRENT

PROPOSED

RPA Number: LEGAL-001 (FY 23/24)	Classification Title: Senior Legal Analyst	Position Number: 811-113-5333-001
Incumbent Name:	Working Title: Senior Legal Analyst	Effective Date:
Tenure: Permanent	Time Base: Full Time	Intermittent Hours Per Month: N/A
Division/Office: Office of Chief Counsel	Section/Unit: Legal	Reporting Location: Sacramento
Supervisor's Name: Carolyn Nelson Rowan	Supervisor's Classification: Chief Counsel	CBID: R01
Confidential Designation: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Designated Position for Conflict of Interest: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Position Telework Eligible: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Supervision Exercised: <input checked="" type="checkbox"/> None <input type="checkbox"/> Lead <input type="checkbox"/> Managerial <input type="checkbox"/> Supervisory		

Human Resources Use Only:

HR Analyst Approval:

Date:

General Statement

This position requires the incumbent to maintain consistent and regular attendance; communicate effectively (orally and in writing) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools and equipment; complete assignments in a timely and efficient manner; and adhere to department policies and procedures regarding attendance, leave, and conduct.



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Position Description

The Office of Chief Counsel supports all the executive, administrative, and programmatic functions of the Office, including managing Public Records Act (PRA) requests. Currently, the Office has one Chief Counsel, one Attorney IV, one Attorney III, one Attorney, one AGPA, and one Senior Legal Analyst. As part of its support for the Proposition 65 (the Safe Drinking Water and Toxics Enforcement Act of 1986) program, the Legal Unit is responsible for developing regulatory proposals to amend existing regulations, add new regulatory provisions, or repeal old provisions that are no longer needed. The Legal Office also works closely with the Attorney General's Office to defend cases filed against the Office challenging action taken under Proposition 65 and other programs.

Under direction of the Chief Counsel, the Senior Legal Analyst independently summarizes, organizes, and indexes legal opinions, testimony, depositions, documentary material from interrogatory material, and abstracts; researches legislative histories; gathers factual information and performs complex legal research to assist attorneys in determining appropriate action; prepares documents for opening and closing files for internal administrative purposes; prepares, correspondence and reports; assists in preparing drafts of pleadings and answers to inquiries regarding status of cases; independently analyzes and categorizes records for responsiveness to PRA requests and discovery; and maintains liaison and exchanges legal and factual information with other legal and technical staff in the Office and within CalEPA.

The Senior Legal Analyst is the most experienced paralegal with working knowledge of Proposition 65 and related regulations, who routinely and independently performs a wide variety of the most complex paralegal duties under the supervision of the Chief Counsel or her designees, who are attorneys licensed to practice law. The Senior Legal Analyst independently provides paralegal and legal analytical support to the staff attorneys and the Chief Counsel and does other related administrative work.

Essential Functions (Including percentage of time):

25%

Gathers and reviews complex electronic and hardcopy records to assist the attorneys in responding to PRA requests, subpoenas, and discovery requests. Independently analyzes records for relevance to the request. Identifies those records protected by the attorney-client privilege, attorney work product doctrine, and other privileges (first-level review). Summarizes the types of documents collected and any applicable exemptions or privileges that may apply to documents reviewed to make recommendations to the attorneys as to whether to produce the records. Supports second-level review by assigned attorney. Categorizes responsive documents into folders for second-level attorney review and final determination of applicable privileges or exemptions. Independently prepares privilege logs including converting records to PDF and using software to Bates-stamp each page. Organizes material for production in litigation. Acts as Case Administrator for AccessData e-discovery software. Organizes trial and appellate court documents and exhibits in a manner that makes them searchable and easy to retrieve when needed by attorneys during and after the litigation is completed. Gathers and reviews factual information, performs legal research, and analyzes courses of action to assist the attorneys in determining appropriate actions related to litigation.

25%

Maintains the records management system (hard-copy and electronic) for the Legal Office to ensure it is compliant with all relevant laws and procedures and provides ready access to records for attorneys. Organizes all records maintained by the Legal Office for tracking purposes. Develops policies and procedures, including procedures for indexing legal records, maintains file integrity, understands the significance of and follows separate processes associated with the filing, maintenance, organization, and retrieval of privileged and confidential records. Independently identifies and analyzes relevant records, scans them, and provides a



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detailed index of the materials for use by the assigned attorney. Develops policies and procedures, including procedure manuals, concerning legal records, file integrity, and accessibility of public documents. Consults with attorneys regarding the significance of documents and records subject to privileges or exclusion to ensure the records are correctly designated and organized in a manner that makes them searchable and easy to retrieve when needed by attorneys.

20%

Independently researches, analyzes, and summarizes new Proposition 65-related court opinions when they are published. Maintains a case database with these summaries which is used by attorneys in the Legal Unit and the Attorney General's Office to research issues related to Proposition 65. Researches and updates the legal authorities' portion of the annual 3980 Office of Environmental Health Hazard Assessment report for accounting. Tracks, analyzes, and summarizes 60-day notices using the Attorney General's Office's database. Conducts research in response to requests for information under California Code of Regulations, title 27, section 25205 and drafts informational request letters to businesses and trade organizations requesting information concerning Proposition 65 warnings being provided for products and places in California for signature by the Chief Deputy. Maintains a tracking log and follows up with assigned attorneys regarding responses to those requests. Independently researches and answers legal and technical Proposition 65 inquiries from businesses and consumers via phone or email.

20%

Conducts legal research on complex matters such as case, statutory, and regulatory authorities, rules of practice and proceedings required for administrative proceedings, and the statutory and regulatory requirements for a rulemaking process to assist attorneys in locating applicable documents and authorities. Summarizes legal research in memoranda or other documents recommending a course of action to assigned attorney. Prepares responses to routine correspondence and other types of inquiries. Drafts correspondence to third parties from attorneys regarding legal inquiries. Prepares documents such as timelines and summaries to assist attorneys in managing and tracking rulemaking projects and for briefing purposes.

Marginal Functions (Including percentage of time):

5%

Answers phone and routes calls to appropriate staff. Schedules meetings including reserving meeting rooms. Prepares meeting materials such as Power Point presentations and handouts. Greets and escorts visitors to meetings with legal staff. Prepares briefing binders to be distributed to Agency and other government officials.

5%

Provides back-up support for other administrative staff in the Legal Unit that includes drafting regulatory documents and filing materials with the Office of Administrative Law. Serves as back-up for the PRA Coordinator by monitoring the PRA inbox, reviewing PRA requests received, and forwarding requests to the appropriate staff. Receives and completes administrative assignments between the Office of Chief Counsel and other OEHHA staff or agency divisions and offices, other public agencies, federal and state courts, and outside counsel.

Typical Physical Conditions/Demands:

The job requires extensive use of a personal computer and the ability to sit/stand at desk, utilize a phone, and type on a keyboard for extended periods of time. Ability to lift 15 pounds, bend and reach above shoulders to retrieve files and/or documents.



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Typical working conditions

The incumbent works in a high-rise office building in downtown Sacramento, in an enclosed, non-windowed office cubicle in a smoke-free environment, with possible telework flexibility on approval of Chief Counsel. The work schedule is Monday through Friday, 8:00a.m. to 5:00p.m., with possible flexibility on approval of Chief Counsel. Mandatory overtime, including evening and weekend work may be necessary when the department is mission tasked. May be requested to travel to off-site meetings and conferences.

Special Requirements of Position (Check all that apply):

- Duties performed may require pre-employment and/ or routine screenings (background/criminal/fingerprint clearance, drug testing, fingerprinting, physical, etc.).
- Duties require participation in the DMV Pull Notice Program.
- Performs other duties requiring high physical demand. (Explain below)
- Requires repetitive movement of heavy objects and/or operation of heavy machinery or motorized vehicles.
- Other (Explain below)

Explanation:



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Supervisor Statement

I certify this duty statement represents an accurate description of the essential functions of this position. I have discussed the duties of this position with the employee and provided the employee a copy of this duty statement.

Supervisor Name

Supervisor Signature

Date

Employee Statement

I have discussed these duties with my supervisor and have been provided a copy of this duty statement. I certify I have read, understand, and can perform the duties of this position either with or without reasonable accommodation*.

**A Reasonable accommodation is any modification or adjustment made to a job, work environment, or employment practice or process that enables an individual with a disability or medical condition to perform the essential functions of his or her job or to enjoy an equal employment opportunity. (If you believe reasonable accommodation is necessary, check yes. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Reasonable Accommodation Coordinator.)*

Do you need a reasonable accommodation to perform the essential functions of this position?

YES

NO

Employee Name

Employee Signature

Date