



DUTY STATEMENT

DATE APPOINTED TO CLASS		DATE OF LAST POSITION REVIEW 02/06/2024	
DIVISION Executive Office		POSITION NUMBER (Agency - Unit - Class - Serial) 421-045-5795-001	
BUREAU/UNIT Legal Affairs		CLASS TITLE Attorney III	CBID R02
INCUMBENT		WORKING TITLE Attorney III	
BRIEFLY (1 or 2 sentences) DESCRIBE THE POSITION'S ORGANIZATIONAL SETTING AND MAJOR FUNCTIONS Under the general direction of the Assistant Chief Counsel, the Attorney III's primary duty is to perform legal analysis, render advice and opinion, and represent the Peace Officer Standards and Training (POST) Commission in a variety of subject areas within the Commission's jurisdiction, including the operation and governance of POST, complex litigation and regulatory matters, peace officer hiring and selection criteria, licensing and decertification of peace officers, government contracts, conflicts of interest, labor and employment law, open meeting and public records act laws and other state laws and government agency issues. The Attorney III is expected to perform this work with minimal supervision and to be knowledgeable in complex areas of criminal, civil, and labor law, as well as peace officer misconduct investigations.			
% 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 additional sheet if necessary)	
ESSENTIAL FUNCTIONS			
40%	Presents statements of facts, law, and arguments clearly and logically in written and oral form; gathers, assembles, analyzes, preserves and presents evidence to support administrative license certification actions before the Peace Officer Standards Accountability Board, the POST Commission, and during administrative hearings before Administrative law judges; represents POST, including during public meetings and at hearings, presents oral and documentary evidence, cross examines witnesses, responds to objections, and presents oral and written arguments; negotiates resolutions in lieu of hearings and may serve as the lead attorney for a team of attorneys.		
15%	Assists in drafting and reviewing rules, regulations, policies, and procedures to support the Commission's goals relative to training and selection standards for peace officers, certification actions and serious misconduct investigations; assists in drafting regulations, policies, and procedures to support administrative investigations from Law Enforcement Consultants and attorneys to detect or verify suspected violations that may lead to decertification for serious misconduct.		
10%	Performs research, drafts legal memoranda and other documents; advises the Peace Officer Standards Accountability Board and the POST Commission in their adjudicatory and decision-making capacity; analyzes difficult and complex legal problems, applies legal principles and precedents to advise Executive Staff, the Peace Officer Standards Accountability Board, the POST Commission; may appear before other administrative agencies such as the State Personnel Board to represent POST in various administrative matters.		
10%	Advises, reviews and assists the Peace Officer Standards Accountability Division with respect to administrative misconduct and conviction investigations in analyzing grounds for		

	certification actions involving serious misconduct or convictions, with particular emphasis on cases likely to result in appeals to a higher court; assists with the investigatory process by appropriate discovery mechanisms, including subpoenas; advises and assists with complex investigatory issues involving peace officers.
10%	Appears before federal and state superior and appellate courts, as well as administrative bodies, on the difficult, complex, and sensitive cases and matters within the statutory and departmental scope of responsibility of the assigned program(s) and applies sound legal judgment.
10%	Provides professional development and training to POST staff in areas related to federal, state, local laws, and rules or regulations; to include criminal law, civil law, labor law, and compliance with the California Public Records Act request and disclosure requirements.
5%	NON-ESSENTIAL FUNCTIONS Performs other job-related duties within the scope of the classification.

WORK ENVIRONMENT OR PHYSICAL ABILITIES REQUIRED OF THE JOB *(if applicable):*

WORK ENVIRONMENT

Office setting – Requires prolonged sitting, standing, walking, use of the telephone, and use of a personal computer. Requires mobility to different areas of the work site. Hours of work should cover business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except state holidays. However, workload and special projects may require work and travel beyond the normal business hours. This position is located at POST headquarters in West Sacramento, Ca. This position may be eligible for telework.

Offsite setting – Required traveling (i.e., attend/facilitate meetings, conferences and/or training courses).

Incumbent must be able to use good judgment in managing their time and workload (i.e., meeting multiple and sometimes conflicting deadlines). The incumbent must at all times demonstrate professional behavior when interacting with POST staff, law enforcement agency executives and administrators, legislative members and their staff, law enforcement subject matter experts and presenters/trainers, community special interest groups, and members of the public.

Strong management and interpersonal skills are critical due to the highly political nature and sensitivity of the issues, the individuals involved, and the necessity for the consultant to manage the development of consensus solutions.

This position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

PHYSICAL ABILITIES

Must possess and maintain sufficient strength, agility, endurance, and sensory ability to perform the duties contained in this duty statement with or without reasonable accommodation. May require light carrying/lifting of office supplies such as paper, binders, manuals, etc.

Traveling may require medium to heavy lifting (i.e., laptop, luggage, etc.).

CONFLICT OF INTEREST *(if applicable):*

Conflict of Interest Filing (Form 700) required Not applicable

This position is designated under the Conflict of Interest Code. The position is responsible for making or participating in the making of governmental decisions that may potentially have a material effect on personal financial interests. The employee is required to complete Form 700 within 30 days of appointment and once per year.

Failure to comply with the Conflict of Interest Code requirements may void this appointment.

To be reviewed and signed by the supervisor and employee:

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

SUPERVISOR'S NAME (Print)

SUPERVISOR'S SIGNATURE

DATE

EMPLOYEE'S STATEMENT:

- *I HAVE DISCUSSED THE DUTIES AND RESPONSIBILITIES OF THE POSITION WITH MY SUPERVISOR*
- *I HAVE RECEIVED A COPY OF THE DUTY STATEMENT*
- *I AM ABLE TO PERFORM THE ESSENTIAL FUNCTIONS LISTED WITH OR WITHOUT REASONABLE ACCOMMODATION*
- *I UNDERSTAND THAT I MAY BE ASKED TO PERFORM OTHER DUTIES AS ASSIGNED WITHIN MY CURRENT CLASSIFICATION, INCLUDING WORK IN OTHER FUNCTIONAL AREAS AS BUSINESS NEEDS REQUIRE*

EMPLOYEE'S NAME (Print)

EMPLOYEE'S SIGNATURE

DATE

HUMAN RESOURCES ANALYST'S NAME (Print)

HUMAN RESOURCES ANALYST'S SIGNATURE

DATE