

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

CLASSIFICATION:

Attorney III

POSITION NUMBER:

800-310-5795-912

DIVISION/BRANCH/REGION: (UNDERLINE ALL THAT APPLY)

Legal Division

BUREAU/SECTION/UNIT: (UNDERLINE ALL THAT APPLY)

Family and Adult Programs Policy and Litigation

SUPERVISOR'S NAME:

Jocelyn Colbert

SUPERVISOR'S CLASS:

Assistant Chief Counsel

SPECIAL REQUIREMENTS OF POSITION (CHECK ALL THAT APPLY):

- ☒ Designated under Conflict of Interest Code.
- ☐ Duties require participation in the DMV Pull Notice Program.
- ☐ Requires repetitive movement of heavy objects.
- ☐ Performs other duties requiring high physical demand. (Explain below)
- ☐ None
- ☒ Other (Explain below)

Employees assigned to work in the Legal Division are required to obtain a criminal record background clearance by the Department of Justice and the Federal Bureau of Investigation.

I certify that this duty statement represents an accurate description of the essential functions of this position.

I have read this duty statement and agree that it represents the duties I am assigned.

SUPERVISOR'S SIGNATURE

DATE

EMPLOYEE'S SIGNATURE

DATE

SUPERVISION EXERCISED (Check one):

- ☒ None ☐ Supervisor ☐ Lead Person ☐ Team Leader

FOR SUPERVISORY POSITIONS ONLY: Indicate the number of positions by classification that this position DIRECTLY supervises.

Total number of positions for which this position is responsible:

FOR LEADPERSONS OR TEAM LEADERS ONLY: Indicate the number of positions by classification that this position LEADS.

MISSION OF ORGANIZATIONAL UNIT:

The Family and Adult Programs Policy and Litigation Branch (FAB) is one of five branches within the Legal Division that is responsible for and committed to providing timely, responsive, thorough and accurate legal services to the Adult Programs Division (APD), the Family Engagement and Empowerment Division (FEED), the Office of Equity, and the State Hearings Division (SHD) and other programs. The APD and FEED administer and oversee diverse public social services cash benefit and assistance programs funded by federal, state and/or local agencies. Programs include, but are not limited to: In-Home Supportive Services; CalWORKs, CalFresh; Immigrant Integration Branch programs; Civil Rights Unit; Automation, Integrity and Client Initiative Branch; Housing and Homelessness; Child Care; and Cash Assistance Payments for Immigrants.

CONCEPT OF POSITION:

The Attorney III performs the more complex and sensitive legal work in the Family & Adult Programs Policy and Litigation Branch. The Attorney III is required to have experience, knowledge and skills in the analysis and application of complex laws, regulations, and policies that relate to or are transferable to the specific programs administered by the Department. The Attorney III is required to perform these responsibilities under minimal supervision and guidance.

A. RESPONSIBILITIES OF POSITION:

40% - Performs complex legal research and analysis to provide sound and supported verbal and written legal advice to Department executives, managers and staff on the more sensitive and complex legal matters pertaining to the public social service programs administered by the Department.

20% - Analyzes and/or drafts proposed legislation, regulations and Department policies. May represent the Department in administrative proceedings.

20% - Represents the Department in discussions and correspondence with the Governor's Office, CA Health and Human Services Agency, Department of Finance, other state departments, federal and county partners, stakeholders, advocates and the public.

15% - Represents the Department in responses to litigation demand letters and facilitates negotiations to avoid litigation. Provides substantive litigation support to the Office of the Attorney General that includes, but is not limited to: providing program specific statutes, regulations, policies and guidance and assisting in the application of that information to assess and defend the interests of the Department; provides strategic guidance and recommendations regarding litigation; and facilitates information, status updates, negotiations and resolution of lawsuits with Department directorship and the administration, when applicable.

5% - Assists in the reviews and responses to requests made pursuant to the California Public Records Act, California Code of Civil Procedure and California Evidence Code.

B. SUPERVISION RECEIVED:

The Attorney III reports to and works under the direction of an Assistant Chief Counsel and/or Senior Assistant Chief Counsel, and has broad discretion and independence in the performance of duties.

C. ADMINISTRATIVE RESPONSIBILITY:

None.

D. PERSONAL CONTACTS:

The Attorney III has consistent and independent contact with department staff, management and directorate. As an expert in the laws and policies of the programs administered by the Department, the Attorney III will be representing the Department in discussions with other state departments, Department of Finance, CA Health and Human Services Agency, Governor's Office, federal and county partners, stakeholders, advocate organizations and the public. The Attorney III will interact with the Office of the Attorney General in providing substantive litigation support for litigation in which the Department is a named-party.

E. ACTIONS AND CONSEQUENCES:

The Attorney III provides legal work on some of the more sensitive and complex legal issues and litigation pertaining to the programs administered by the Department. These programs involve complex federal, state and local funding that often exceeds tens of millions. Failure to provide sound, supported and consistent legal advice as well as exercise good judgment may subject the Department and the State to costly litigation and significant adverse fiscal and policy consequences.

F. OTHER INFORMATION:

Occasional travel may be required to attend conferences or training, provide substantive litigation support to the Office of the Attorney General in litigation matters involving the Department. Employees assigned to the Legal Division are subject to a criminal record background check clearance by the Department of Justice and the Federal Bureau of Investigation. Office space is standard in a smoke-free environment.

(Rev. 05/2021- JC)