

**POSITION DUTY STATEMENT**

PM-0924 (REV 01/2022)

CLASSIFICATION TITLE Assistant Chief, Legal Division, Department of Transportation	OFFICE/BRANCH/SECTION DISTRICT 42 - BAY AREA LEGAL OFFICE	
WORKING TITLE ASSISTANT CHIEF COUNSEL	POSITION NUMBER 701-002-5871-xxx	REVISION DATE 07/01/2023

As a valued member of the Caltrans leadership team, you make it possible for the Department to provide a safe and reliable transportation network that serves all people and respects the environment.

**GENERAL STATEMENT:**

Under general direction of a Deputy Chief Counsel, the Assistant Chief Counsel is responsible for supervising a group of attorneys involved in a variety of litigation and other legal activities. The incumbent may also coordinate more complex and/or major specialized areas in the Legal Division and/or have statewide responsibility for the Department's legislative program.

**CORE COMPETENCIES:**

As an Assistant Chief, Legal Division, Department of Transportation, the incumbent is expected to become proficient in the following competencies as described below in order to successfully perform the essential functions of the job, while adhering to and promoting the Department's Mission, Vision, Values, Strategic Imperatives and Goals. Effective development of the identified Core Competencies fosters the advancement of the following Leadership Competencies: Change Commitment, Risk Appetite, Self-Development/Growth, Conflict Management, Relationship Building, Organizational Awareness, Communication, Strategic Perspective, and Results Driven.

**TYPICAL DUTIES:**

Percentage Essential (E)/Marginal (M) <sup>1</sup>	Job Description
40% E	Responsible for the training and supervision of a group of attorneys in one or more assigned specialty legal areas; reviews opinions, briefs, pleadings, trial memoranda and other legal documents prepared by supervised attorneys and makes suggestions for possible improvements; reviews the performance of personnel and takes or recommends appropriate action; and maintains a file on progress of work in the legal field to which he/she is assigned. Informs the various offices of the Legal Division and client programs of legal views, opinions, court proceedings, and advice given in his/her assigned field by memoranda, conferences, and other methods; writes periodical progress reports; and occasionally consults with the Chief Counsel and statewide Deputy Chiefs Counsel of the Legal Division on coordination problems.
35% E	Responsible for standards and coordination of the work in assigned major legal specialty areas; assists in formulating legal policies and procedures for the division; use appropriate time management methods to ensure work is completed properly and on time (e.g., calendaring, monitoring the status of all assignments, and anticipating future tasks); and acts for the head of the office as assigned.
20% E	Keeps informed of development of the law through reading of related court decisions, statutes, pleadings, memoranda and briefs; attends various divisional conferences; and develop departmental training by creating and reviewing departmental training materials to provide legal advice and advocacy for the Department using appropriate oral and written communication skills and ethical considerations. Occasionally tries the most complex cases in his/her assigned legal field in the appropriate courts. Maintain compliance with applicable ethical and professional standards while providing legal representation and advocacy for the Department.
5% M	Performs other administrative tasks in the course of required managerial responsibilities to include approval of request for travel, training requests, leave usage, and other personnel related assignments. Participates in the selection process for subordinate staff and other administrative functions as needed.

<sup>1</sup>ESSENTIAL FUNCTIONS are the core duties of the position that cannot be reassigned.

MARGINAL FUNCTIONS are the minor tasks of the position that can be assigned to others.

**SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS**

Supervision exercised over a staff of attorneys.

**KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS**

**KNOWLEDGE OF:** Depending on the area of law practiced, any or all of the following may be necessary. Legal principles and practices with particular reference to the law of eminent domain, public tort liability, contracts, and laws governing public officers

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and agencies; State Contract Act and the statutes and constitutional provisions governing the organization and conduct of the work of the Department of Transportation; law relating to public highways; Federal Highways Act and other Federal aid statutes relating to highways; California law relating to acquisition, financing, administration, and construction of toll bridges; law governing the relations of the Department with public utilities and public agencies; trial and appellate court procedure and of the rules of evidence; methods used in appraising real property and of the problems involved in negotiating for rights of way; environmental laws pertaining to the department, including National Environmental Policy Act, California Environmental Quality Act, the Clean Air Act, the Clean Water Act, Comprehensive Environmental Response Compensation Liability Act and Resource Conservation and Recovery Act; and, safety, health, affirmative action and labor relations and the processes available to meet these program objectives.

**ABILITY TO:** Approach a problem by using a logical, systematic, sequential approach; weigh the costs, benefits, risks, implications, and chances for success, when making a decision; use technology to simplify and streamline tasks; learn new technology techniques to enhance the job; manage, lead and enable the process of change and transition while helping others deal with their effects; listen to others and communicate in an effective manner; ensure that others involved in a project or effort are kept informed about developments and plans; ensure that important information from management is shared with employees and others as appropriate; give and receive constructive feedback; recognize differences of opinion, bring them out into the open for discussion, and look for win-win solutions; use appropriate interpersonal styles and methods to reduce tension or conflict between two or more people/groups; create solutions to problems using novel methods and processes; identify and respond to current and future client needs; provide excellent service to clients; make critical and timely decisions in difficult or ambiguous situations; take charge of a group when it is necessary to facilitate change, overcome an impasse, face issues, or ensure that decisions are made; delegate responsibility, work with others, and coach them to develop their capabilities; identify and obtain information needed to clarify and resolve a situation; convey confidence in employees' ability to be successful, especially at challenging new tasks; allow employees' flexibility to decide how they will accomplish their goals and resolve issues; take responsibility for own work, including problems and issues; anticipate and prevent breaches in confidentiality and/or security; notice trends and develops plans to prepare for opportunities or problems; anticipate how individuals and groups will react to situations and information and plan accordingly; presents arguments that address others' most important concerns and issues and looks for win-win solutions; identify and propose solutions that benefit all parties involved in a situation; provide guidance in how to strengthen knowledge, skills, and competencies to improve personal and organizational performance; communicate effectively and develop employees; develop, maintain, and strengthen relationships with others inside or outside of the organization who can provide information, assistance, and support; ensure the effective, efficient, and sustainable use of public service resources and assets; identify, assess, and manage risk while striving to attain objectives; function effectively when under pressure and maintain self control in the face of hostility or provocation; find creative ways to make people's work rewarding; communicate ideas, thoughts, and facts in writing.

**RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR**

Makes independent decisions, and provides advice to management and client programs about a variety of legal matters. Errors could result in dismissal of a court case, loss of millions of dollars, court sanctions; adversely affect the working relationship between Legal and other operational units within the Department and/or loss of credibility with the courts, other public agencies and the public.

**PUBLIC AND INTERNAL CONTACTS**

The incumbent must consult with all levels of staff in the Legal Division, Departmental management and staff, outside counsel, expert witnesses, court staff, judges, private industry, other government agency representatives, and outside witnesses.

**PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS**

Must be able to work appropriately and effectively under stress, manage complex and varied workload and meet deadlines. Ability to work on a keyboard; manual dexterity; sitting for long periods; develop and maintain cooperative working relationships; ability to focus for long periods of time. Position requires occasional bending, stooping and kneeling.

**WORK ENVIRONMENT**

While at their base of operation, employees will work in a climate-controlled office under artificial light. However, due to periodic problems with the heating and air conditioning, the building temperature may fluctuate. Will have to perform work duties in different court rooms throughout the state and therefore, this position does require travel.

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I have read, understand and can perform the duties listed above. (If you believe you may require reasonable accommodation, please discuss this with your hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

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EMPLOYEE (Print)

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EMPLOYEE (Signature)

DATE

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I have discussed the duties with, and provided a copy of this duty statement to the employee named above.

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SUPERVISOR (Print)

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SUPERVISOR (Signature)

DATE

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