

DUTY STATEMENT

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Employee Name: TBD	Current Date: TBD
Classification: Chief Counsel, C.E.A.	Position #: 673-110-7500-006
Division/Office: Executive Office	CBID: M01
Section: Legal Office	
Supervisor Name: Courtney Smith	Supervisor Classification: Executive Officer

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

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

SPECIAL REQUIREMENTS OF POSITION (IF ANY):

- Designated under Conflict of Interest Code.
- Duties performed may require pre-employment physical.
- Duties performed may require drug testing.
- Duties require participation in the DMV Pull Notice Program.
- Requires the utilization of a 32-pound self-contained breathing apparatus.
- Operates heavy motorized vehicles.
- Requires repetitive movement of heavy objects.
- Works at elevated heights or near fast moving machinery or traffic.
- Performs other duties requiring high physical demand. (Explain below):
- Duties require use of hearing protection and annual hearing examinations.

SUPERVISION EXERCISED

<input type="checkbox"/> None	<input type="checkbox"/> Lead Person
<input checked="" type="checkbox"/> Supervisor	<input type="checkbox"/> Team Leader

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FOR SUPERVISORY POSITIONS ONLY: Indicate the number of positions by classification that this position **DIRECTLY** supervises: Two (2) positions: one Division Chief (Enforcement Division) and one Deputy Counsel.

Total number of positions in Section/Branch/Office for which this position is responsible: In the Legal Office: 42 staff (including Deputy Counsel, four Assistant Chief Counsels, 28 attorneys, one Staff Air Pollution Specialist, and five paralegal/administrative support staff. In the Enforcement Division, there are about 200 staff who report to the Division Chief.

The Chief Counsel reports to and takes direction on a daily basis from the Principal Deputy Executive Officer and works closely with the Executive Officer, Deputy Executive Officers, and the Board Chair.

FOR LEADPERSONS OR TEAM LEADERS ONLY:

Indicate the number of positions by classification that this position **LEADS**: N/A

MISSION OF SECTION: The California Air Resources Board (CARB) is a global leader in protecting air quality, fighting climate change, and furthering environmental justice. CARB also supports and works with California's 35 local air districts. CARB's Executive Office plans, organizes, and directs the activities of staff to further the Board's mission. The Legal Office is part of the Executive Office. Its mission is to provide the highest quality legal advice and representation to the Board and staff to support programmatic efforts to improve air quality to protect public health and the environment and to ensure that all legal obligations of CARB are met in carrying out these efforts. The Legal Office provides legal support on a variety of complex topics related to the control of air pollution (criteria pollutants, toxic air contaminants, and greenhouse gases), including, but not limited to: adoption, interpretation, implementation, and enforcement of State and federal environmental and administrative laws and regulations; litigation in conjunction with the Attorney General's Office; conflicts, contracts, grants, environmental justice, Public Records Act, personnel, equal employment opportunities, and proposed legislation. The Legal Office maintains the primary responsibility for assisting CARB staff in the development of regulations and the documentation necessary to support their adoption.

CONCEPT OF POSITION: Under the broad direction of the Principal Deputy Executive Officer, the Chief Counsel plans, organizes, and directs the work of the Legal Office staff and manages the oversight of the Enforcement Division; provides legal advice to the Board and staff; formulates policy recommendations to the Board and Executive Officer; acts as a member of the Executive leadership team along with the Deputy Executive Officers; to advise and drive progress on organizational matters, including addressing organizational risks and budgetary issues; identifies issues, formulates policy, and develops legal strategies to best meet program objectives; and reviews and assists in the development of budgetary actions, regulations, and legislation.

The Chief Counsel coordinates, plans, organizes and directs the activities of the Legal Office staff involved in legal analysis, interpretation, representation, strategy development, and enforcement actions in support of CARB's programs; assigns, organizes and supervises the preparation of legal opinions, hearing notices, regulations, staff reports, and correspondence; reviews legal opinions and advice for sufficiency and consistency; provides coordination between legal and program staff; supervises the Enforcement Division and advises on enforcement actions; provides legal advice to the Board and staff; coordinates legal advice with the CalEPA Office of the Secretary; develops regulations and proposals for legislation; develops cases for litigation (both as plaintiff and defendant)

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with its counsel at the Office of the Attorney General; develops legal strategies; acts as a liaison with the Office of the Attorney General and legal offices of other State and local agencies; attends Board meetings, hearings, and executive sessions; participates in negotiations with the Legislature and other public agencies; represents the Board in legal matters; provides legal information to stakeholders and interested parties; serves as a member of the Executive Office team along with the Deputy Executive Officers; develops and implements policy related to enforcement, legislation, and regulations.

The Chief Counsel advises and assists in internal employee actions, complaints, investigations, and claims; meets with representatives, attorneys, and staff involved; reviews proposed actions; advises on proposed settlements, and other related work.

<u>% OF TIME</u>	<u>RESPONSIBILITIES OF POSITION</u>
25%-E	<p>Provides legal advice to the Board, Executive staff, CARB staff, and CalEPA; develops regulations and proposals for legislation; develops cases for litigation and legal strategies in support of the Board policies and programs.</p> <p>Identify issues, formulation of policies, and development of strategies to best meet CARB’s objectives; and reviews and assists in formulation of policy in legislation.</p> <p>Principal liaison with the Office the Attorney General to provide legal representation to CARB in litigation and legal branches of other state agencies; represents the Executive Officer and Executive staff in legal matters; and provides legal and policy information to members of the public.</p> <p>Collaborates and works closely coordinate legal work with the California Environmental Protection Agency (CalEPA), the Office of the Attorney General, and the Governor’s Legal Office. Coordinates and negotiates with the Legislature and other public agencies.</p>
25%-E	<p>Coordinates, plans, organizes, and directs legal services of the Legal Office staff involved in legal analysis, interpretation, representation, strategy development, and enforcement actions in support of State statutes and CARB regulations and policies. Manages the Deputy Counsel in their management of the Legal Office and direction of the Assistant Chief Counsels who manage legal staff who are responsible for analysis, interpretation, representation, and strategy development in support of compliance with the Administrative Procedures Act, federal and California environmental laws affecting air quality and climate programs, the California Environmental Quality Act (CEQA), the Public Records Act, conflicts, open meetings requirements and other statutes; facilitates equity efforts within the Legal Office, within CARB, and externally.</p>

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	<p>Assigns, organizes, and supervises legal staff in performance of functions including assignment of priorities, development of hearing notices, regulations, staff reports, correspondence, and other documents with assistance by the Deputy Counsel.</p> <p>Reviews legal memoranda, opinions, and correspondence for sufficiency and consistency, and provides coordination between legal staff and other CARB activities.</p>
25%-E	<p>Manages oversight of the Enforcement Division by directing the Division Chief in the work to coordinate, plan, organize, and direct enforcement investigations, case development, settlements, and litigation. Oversees the planning and implementation of enforcement actions and negotiations.</p> <p>Reviews staff memoranda, recommendations, and correspondence to ensure alignment with policy and programmatic direction.</p>
20%-E	<p>Participates as member of the Executive staff in the formulation of CARB policy; develops and implements agency policy in matters of enforcement, legislation, and regulations.</p> <p>Assists in addressing organization risks, budgetary issues, and in the formulation of administrative policies.</p>
5%-M	<p>Performs other duties and tasks as assigned by the Principal Deputy Executive Officer or Executive Officer to ensure high performing and excellent work is completed by the CARB Legal Office and Enforcement Division and as otherwise required to support the functions of the Legal Office and Enforcement Division.</p>