

State of California - Department of Social Services

DUTY STATEMENT

EMPLOYEE NAME:

VACANT

CLASSIFICATION:

Attorney III

POSITION NUMBER:

800-310-5795-032DIVISION/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 & 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 related to the administration of a variety of diverse public social services cash benefit and assistance programs funded by federal, state and/or local agencies. Programs include but are not limited to: CalFresh and nutrition programs; Child and Adult Care Food Program; CalWORKs Eligibility and Employment; Cash Assistance Payments for Immigrants; Child Care and Development; Civil Rights for Public Social Service Programs; Disaster Services; various Housing and Homelessness Programs; Immigration & Refugees; In-Home Supportive Services; and Trafficking and Crime Victim Assistance.

CONCEPT OF POSITION:

The Attorney III performs complex, politically sensitive, and fiscally significant legal work and provides legal opinions and advice on highly technical legal problems for a wide variety of social services programs supported by FAB. As one of the more specialized and experienced attorneys in the Department, the Attorney III is an expert in their field. With supervision by the Senior Assistant Chief Counsel or an Assistant Chief Counsel, the Attorney III provides advice and counsel to the Department's Directorate, management, and staff on programmatic and litigation related matters involving the interpretation of statutory, regulatory, and case law, both state and federal.

A. RESPONSIBILITIES OF POSITION:

40% Represents the Department in difficult, complex, and politically sensitive matters that arise within the functional responsibility of FAB, including providing specialized and expert legal advice and counsel to the Director, Deputy Directors, other CDSS management, and program staff including identifying and resolving legal issues by providing written legal opinions, verbal consultations, and negotiations with stakeholder and advocacy groups, and legislative staff.

25% Assesses potential legal issues and engages in strategic planning to avoid litigation, including researching and responding to demand letters. Provides program-specific support to the Attorney General's Office for litigation concerning assigned programs, including explanation of applicable federal and state laws and their interaction, related case law, and pending litigation in other jurisdictions. Performs substantive review of pleadings, assists with discovery, and oversight of litigation strategies.

20% Advises, drafts, and assists program staff in developing, drafting, and supporting proposed regulations. May attend public hearings, stakeholder meetings and other events in collaboration with program management and staff.

10% Analyzes and drafts legislation, especially in the context of the development of the annual budget and major program changes. Advises the Department's Legislative Office and the Directorate on proposed legislation and may attend legislative and other public hearings on pending legislation.

5% Performs other legal tasks as required.

The above percentages of time are estimates only. The above duties and/or assigned percentages of time for the duties are subject to change and may include other duties not listed above as directed by Legal Division or other CDSS management.

B. SUPERVISION RECEIVED:

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

C. ADMINISTRATIVE RESPONSIBILITY:

None.

D. PERSONAL CONTACTS:

The incumbent regularly deals with various deputy directors and division managers, deputies of the Attorney General's office, the California Health and Human Services Agency, the Department of Finance and the Governor's Office. The Attorney III also has extensive contacts with several welfare client advocacy organizations and various federal agencies.

E. ACTIONS AND CONSEQUENCES:

The Attorney III personally deals with difficult and sensitive legal issues in their assigned areas. Failure to adequately represent the Department could result in consequences adverse to the Department in litigation, adoption of regulations, and passage of legislation. Failure to provide sound legal advice or to exercise good judgment could subject the Department to litigation or compliance action, with significant adverse fiscal and policy consequences.

F. OTHER INFORMATION:

The Attorney III must obtain a criminal record clearance by the Department of Justice and the Federal Bureau of Investigation. Occasional travel, usually to assist a Deputy Attorney General on matters involving litigation, or to provide advice, training, guidance etc. to Agency, Department or county staff is required.