



Attorney 5

Exam Code: 5PB02

Department: State of California

Exam Type: Service-wide, Open

Final Filing Date: Continuous

CLASSIFICATION DETAILS

Attorney 5 – \$12,290.00 - \$15,685.00 per month

[View the Attorney 5 classification specification.](#)

APPLICATION INSTRUCTIONS

Final Filing Date: Continuous

Who Should Apply:

Applicants who meet the minimum qualifications as stated on this bulletin may apply for and take this examination.

Once you have taken this examination, you may not retake it for **six (6)** months.

How To Apply:

The link to connect to the Training and Experience Evaluation is located farther down on this bulletin in the Taking the Exam section.

Special Testing Arrangements:

If you require special testing arrangements due to a verified disability or medical condition, please contact:

California Department of Human Resources

CalCareer Service Center

1810 16th Street

Sacramento, CA 95814

Phone: (866) 844-8671

Email: CalCareer@CalHR.CA.GOV

California Relay Service: 7-1-1 (TTY and voice)

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MINIMUM QUALIFICATIONS

All applicants must meet the education and/or experience requirements as stated on this exam bulletin to be accepted into the examination. Part-time or full-time jobs, regardless of whether paid or volunteer positions, and inside or outside California state service, will count toward experience.

All Attorney Levels

All classifications require active membership in The California State Bar. (Applicants who are not members of The California State Bar but who are eligible to take the California State Bar examination or are in their final year of law school will be admitted to the examination but will not be considered eligible for appointment until they are admitted to The State Bar.).

Applicants who are six months from meeting the required legal experience will be admitted to the examination, but must meet the total required years of experience prior to appointment.

Attorney 5

Eight years of legal experience in the practice of law*, two years of which must have been at a level equivalent to an Attorney 4 or higher.

* **“Legal experience in the "practice of law" is defined as:** (1) only that legal experience acquired after admission to any State Bar, or (2) experience as a judicial clerk for a federal court, California's state courts, or any other state's courts, or (3) legal experience acquired while practicing under a provisional license to practice law issued by the State Bar of California's Provisional Licensure Program, to constitute experience

in the practice of law. For an individual's judicial clerkship to qualify as "legal experience in the practice of law, the experience must have been gained after receipt of a Juris Doctor or equivalent degree.

POSITION DESCRIPTION

Attorney 5

Under general direction, incumbents serve as exclusive experts in a complex and difficult areas of law independently perform the most difficult and complex legal work and litigation which requires the highest levels of expertise; represent and act as counsel for state departments, boards and commissions whose legal work is exceptionally difficult, and advise district attorneys, county counsels, grand juries, and other public agencies staffed primarily by attorneys, assigned litigation of the greatest difficulty; handle cases that may be appealed to the highest courts; and act in a lead capacity over the work of other attorneys and staff.

Attorneys at this level are recognized as having an exceptional level of expertise that distinguishes them in a special field of knowledge and may serve as the department's top expert in an exclusive area of law. Work at this level involves innovative theories, practices of law, specialization in an area of law overseen by or involving the department, and requiring contact with the legislature, high level gubernatorial appointees, constitutional officers, or their designee, and/or the general public.

EXAMINATION SCOPE

This examination consists of the following components:

Training and Experience Evaluation – Weighted 100% of the final score.

The examination will consist solely of a **Training and Experience Evaluation**. To obtain a position on the eligible list, a minimum score of 70% must be received. Applicants will receive their score upon completion of the Training and Experience Evaluation process.

In addition to evaluating applicants' relative knowledge, skills, and ability, as demonstrated by quality and breadth of education and/or experience, emphasis in each exam component will be measuring competitively, relative job demands, each applicant's:

All Attorney Levels

There are distinct increases in the complexity of knowledge and abilities, the scope of work and effect on programs and services provided and performed as incumbents advance through this classification series. Incumbents are expected to use the

increasing knowledge, abilities, and experiences to perform increasingly difficult and complex legal duties effectively.

A greater degree of these "Knowledge and Abilities" is required at each higher level.

Knowledge of:

1. Legal research methods and performing research.
2. Legal principles and their application.
3. Scope and character of California statutory law and of the provisions of the California Constitution.
4. Federal and state statutes and rules.
5. Rules of professional conduct.
6. Principles of administrative trial and hearing procedure.
7. Rules of evidence.
8. Court procedures.
9. Legal terms and forms in common use.
10. Statutory and case law literature and authorities.
11. Professional and ethical rules as they relate to the practice of law.
12. Appellate proceedings.
13. Rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies.
14. Provisions of laws and Government Code sections administered or enforced.

Ability to:

1. Research.
2. Analyze, appraise, and apply legal principles, facts, and precedents to legal problems.
3. Analyze situations accurately and adopt an effective course of action.
4. Prepare and present statements of fact, law, and argument clearly and logically in written and oral form.
5. Prepare correspondence and memoranda involving the explanation of legal matters.
6. Draft opinions, pleadings, rulings, regulations, and legislation.
7. Negotiate effectively and conduct crucial litigation.
8. Work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others.
9. Independently present difficult and complex cases before Administrative Law Judges.

10. Prepare, present, and handle legal cases.
11. Direct the work of clerical and professional assistants.
12. Edit written documents written by oneself, as well as those produced by others, for accuracy and effectiveness.
13. Analyze situations accurately and adopt an effective course of action.
14. Reason logically.
15. Exercise good judgment.
16. Effectively plan and engage in discovery, including depositions and interrogatories, and to compel production or attendance of/at same.
17. Independently prepare and present difficult and complex cases before boards, commissions, trial courts, and appellate courts.
18. Independently present difficult and complex cases before administrative bodies.

ELIGIBLE LIST INFORMATION

A servicewide, open eligible list for the **Attorney 5** classification will be established for: **State of California** (all State of California departments, statewide).

The names of successful competitors will be merged onto the eligible list in order of final score regardless of exam date. Eligibility expires **twelve (12) months** after it is established. Applicants must then retake the examination to reestablish eligibility. Veterans' Preference will be granted for this examination. In accordance with Government Codes 18973.1 and 18973.5, whenever any veteran, or widow or widower of a veteran achieves a passing score on an open examination, he or she shall be ranked in the top rank of the resulting eligible list.

Veteran status is verified by the California Department of Human Resources (CalHR). Information on this program and the [Veterans' Preference Application](#) (Std. 1093) is available online. Additional information on veteran benefits is available at the Department of Veterans Affairs.

Career Credits will **not** be added to the final score for this exam, because it does not meet the requirements to qualify for Career Credits.

EXAMINATION INFORMATION

[Preview of the Attorney 5 Training and Experience Evaluation](#)

PREPARING FOR THE EXAMINATION

Here is a list of suggested resources to have available prior to taking the exam.

Employment History: Employment dates, job titles, organization names and addresses, names of supervisors or persons who can verify your job responsibilities, and phone numbers of persons listed above.

Education: School names and addresses, degrees earned, dates attended, courses taken (verifiable on a transcript), persons or office who can verify education, and phone numbers of persons or offices listed above.

Training: Class titles, certifications received, names of persons who can verify your training, and phone numbers of persons listed above.

TAKING THE EXAMINATION

We recommend using Chrome, Firefox, or Edge for optimal performance when accessing the examination.

[Take the Attorney 5 examination.](#)

TESTING DEPARTMENTS

State of California (all State of California departments)

CONTACT INFORMATION

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EQUAL OPPORTUNITY EMPLOYER

The State of California is an equal opportunity employer to all, regardless of age, ancestry, color, disability (mental and physical), exercising the right of family care and medical leave, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, political affiliation, race, religious creed, sex (includes pregnancy, childbirth, breastfeeding, and related medical conditions), and sexual orientation.

DRUG-FREE STATEMENT

It is an objective of the State of California to achieve a drug-free State workplace. Any applicant for State employment will be expected to behave in accordance with this objective, because the use of illegal drugs is inconsistent with the law of the State, the rules governing civil service, and the special trust placed in public servants.

GENERAL INFORMATION

Examination and/or Employment Application (STD 678) forms are available at the California Department of Human Resources, local offices of the Employment Development Department, and through your [CalCareer Account](#).

If you meet the requirements stated on this examination bulletin, you may take this examination, which is competitive. Possession of the entrance requirements does not assure a place on the eligible list. Your performance in the examination described in this bulletin will be rated against a predetermined job-related rating, and all applicants who pass will be ranked according to their score.

The California Department of Human Resources (CalHR) reserves the right to revise the examination plan to better meet the needs of the service, if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service laws and rules and all applicants will be notified.

General Qualifications: Applicants must possess essential personal qualifications including integrity, initiative, dependability, good judgement, the ability to work cooperatively with others, and a state of health consistent with the ability to perform the assigned duties of the class. A medical examination may be required. In open examinations, investigation may be made of employment records and personal history and fingerprinting may be required.

Eligible Lists: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) sub-divisional promotional, 2) departmental promotional, 3) multi-departmental promotional, 4) service-wide promotional, 5) departmental open, 6) open. When there are two lists of the same kind, the older must be used first. Eligible lists will expire in one to four years unless otherwise stated on the bulletin.

High School Equivalence: Equivalence to completion of the 12th grade may be demonstrated in any one of the following ways: 1) passing the General Education Development (GED) Test; 2) completion of 12 semester units of college-level work; 3) certification from the State Department of Education, a local school board, or high school authorities that the competitor is considered to have education equivalent to graduation from high school; or 4) for clerical and accounting classes, substitution of business college work in place of high school on a year-for-year basis.