

**DUTY STATEMENT**

GS 907T (REV. 08/01)

**SHADED AREA TO REFLECT RECLASS POSITION NUMBER ONLY****INSTRUCTIONS:** Refer to the Essential Functions Duty Statement Manual for instructions on how to complete the Duty Statement.

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**OAH-11449**

EFFECTIVE DATE:

<b>DGS OFFICE OR CLIENT AGENCY</b> Office of Administrative Hearings	<b>POSITION NUMBER (Agency - Unit - Class - Serial)</b> 306-659-6068-064
<b>UNIT NAME AND CITY LOCATED</b> General Jurisdiction Division – Los Angeles	<b>CLASS TITLE</b> Administrative Law Judge II
<b>WORKING DAYS AND WORKING HOURS</b> Monday through Friday 8:00 a.m. to 5:00 p.m.	<b>SPECIFIC LOCATION ASSIGNED TO</b> 320 West Fourth Street
<b>PROPOSED INCUMBENT (If known)</b>	<b>CURRENT POSITION NUMBER (Agency - Unit - Class - Serial)</b> 306-659-6068-064

The Department of General Services' (DGS) and Office of Administrative Hearings' (OAH) Core Values and Employee Expectations are key to the success of OAH's Mission. That mission is to "provide a neutral forum for fair and independent resolution of administrative matters, ensuring due process and respecting the dignity of all." DGS/OAH employees are to adhere to OAH's Core Values and Employee Expectations, and to perform their duties in a way that exhibits and promotes those values and expectations.

**BRIEFLY (1 or 2 sentences) DESCRIBE THE POSITION'S ORGANIZATIONAL SETTING AND MAJOR FUNCTIONS**

Under the direction of the Presiding Administrative Law Judge, the Administrative Law Judge II (ALJ II) presides over a full range of quasi-judicial hearings including the most complex and sensitive matters following the procedural rules of the Administrative Procedures Act or other similar procedural laws and rules. The ALJ II travels extensively to conduct hearings throughout California for state and local agencies, special districts, and school districts.

**% of time performing duties** | Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. (Use additional sheet if necessary)

40%	<p>The Administrative Law Judge II presides over complex hearings that are generally longer, involve more complex evidentiary and factual issues, and are frequently in areas of the law that are more difficult to interpret and apply. The proceedings involve the renewal, suspension or revocation of licenses and other matters referred to OAH for hearing, after which the ALJ II prepares proposed or final decisions. The hearings may include Medical Board cases involving incompetence and/or gross negligence; Social Services cases involving sexual or physical abuse by a licensee or an employee; Commission on State Mandates cases; Fair Political Practices Commission cases; Department of Corporations cases; cease and desist orders issued by the Department of Insurance; toxic regulation cases for the Department of Toxic Substances Control; multimillion dollar bid protests for the Victims Compensation and Government Claims Board; teacher dismissal for cause cases for school districts; and personnel hearings for cities, counties and school districts.</p> <p>This position is designated under the Conflict of Interest Code. The position is responsible for making, or participating in the making, of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete a Form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment.</p> <p><b>Essential Functions</b></p> <p><b>Hearing Process</b></p> <p>In order to conduct quasi-judicial hearings, pre-hearing and settlement conferences, and other types of dispute resolution proceedings for state and other public agencies, the ALJ II's duties include:</p> <ul style="list-style-type: none"> <li>Listening to testimony and evidence for extended periods of time, and being responsible for overall management of assigned proceeding, and ensuring creation of a comprehensible and complete official record.</li> </ul>
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**SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE**

<b>SUPERVISOR'S NAME (Print)</b> Nancy Beezy Micon	<b>SUPERVISOR'S SIGNATURE</b>	<b>DATE</b>
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**EMPLOYEE'S STATEMENT: I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT**

The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise balance the workload.

<b>EMPLOYEE'S NAME (Print)</b>	<b>EMPLOYEE'S SIGNATURE</b>	<b>DATE</b>
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% of time performing duties	Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. <i>(Use additional sheet if necessary)</i>
	<ul style="list-style-type: none"> <li>• Controlling the course of the hearings – ensuring that the hearings are conducted in a professional manner and that the record of the hearing is clear for later review, including marking and recording exhibits, ruling on objections, and admonishing participants regarding proper conduct.</li> <li>• Taking notes of all evidence submitted, including detailed notes of testimony of each witness as well as witness demeanor observations.</li> <li>• Administering oaths to witnesses.</li> <li>• Issuing subpoenas as requested by parties.</li> <li>• Instructing participants as to their rights and responsibilities in the hearing process.</li> <li>• Questioning witnesses as necessary to complete the record.</li> <li>• Ruling on the admissibility of evidence.</li> <li>• Establishing schedules for further proceedings, including the submission of written argument or post-hearing documentation.</li> </ul>
40%	<p><b>Decisions</b></p> <p>In order to arrive at a proposed or final decision, the ALJ II utilizes a desktop and portable personal computer, drafts proposed or final decision in each case heard by employing standard format which includes but is not limited to introductory information, findings of fact, conclusions of law, and proposed order. Relies upon notes and evidence submitted to prepare proposed or final decisions. Researches applicable law through conventional and computer assisted means. Submits proposed or final decisions for review according to policies. Completes proposed or final decisions within the statutory time frame unless additional time required due to case length or complexity.</p>
10%	<p>In order to perform the functions of the position, the ALJ II also:</p> <ul style="list-style-type: none"> <li>• Maintains on-going communication with Presiding Judge regarding workload, need for “writing time” or other time off-calendar, and works as a team with other ALJs to ensure cases on calendar are heard on a timely basis, and any changes to calendar are coordinated by ALJ through the Presiding Judge.</li> <li>• Maintains mutually respectful relationships with support staff to ensure efficient calendaring of matters as well as completion of correspondence and proposed decisions on a timely basis.</li> <li>• Conducts self in all dealings, personal and professional, in a manner compliant with the Administrative Adjudication Code of Ethics Government Code Section 11475 et.seq.</li> </ul>
10%	<p><b>Marginal Functions</b></p> <p>In order to obtain information for the Presiding Judges or Director, the ALJ II may be assigned to research through the internet or written legal opinions regarding particular aspects of administrative law. The ALJ II may also be assigned to special projects relating to the functions of the office.</p> <p><b>Knowledge and Abilities</b></p> <p><b>Knowledge of:</b> Legal principles and their application to the conduct of hearing proceedings and the provisions of the Administrative Procedure Act; rules of evidence governing such procedure and the laws relating to serving notices and issuing subpoenas; legal research; principles and theories of administrative law and the judicial review of administrative actions; principles and objectives of effective public administration and an understanding of the uses of proper administrative procedures in furthering these objectives; legal terms and forms in common use.</p> <p><b>Ability to:</b> Perform research; analyze, appraise, and apply legal principles, evidence and precedents to legal problems; make accurate summaries of evidence and prepare appropriate findings and conclusions of law and make recommendations based on such facts; conduct fair and impartial hearings in a manner that will obtain all pertinent evidence and secure confidence and respect; maintain a fair and impartial attitude of mind without bias or prejudice; communicate effectively; establish and maintain cooperative relations with those contacted in the course of the work.</p>

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	<p><b>Required Qualifications</b></p> <ul style="list-style-type: none"> <li>• Active membership in the State Bar of California.</li> <li>• Admission to practice law in California for at least five years immediately preceding application for appointment.</li> </ul> <p><b>Special Personal Characteristics</b></p> <ul style="list-style-type: none"> <li>• Excellent oral and written communication skills.</li> <li>• Dependability and excellent attendance record.</li> <li>• Excellent interpersonal skills with individuals from diverse backgrounds.</li> <li>• Ability to effectively handle stress, adapt to changes in assignments and priorities, often with short notice, and meet deadlines.</li> <li>• Tact, judicial temperament, and self-motivation.</li> </ul> <p><b>Work Environment, Physical or Mental Abilities</b></p> <ul style="list-style-type: none"> <li>• Office environment, business dress according to office policy.</li> <li>• Ability to transport, operate and monitor recording equipment, personal computer, and hearing exhibits and materials.</li> <li>• Ability to configure hearing location as appropriate.</li> <li>• Ability to lift 30 pounds.</li> <li>• Ability to travel to assigned hearings—sometimes with short notice.</li> <li>• Ability to use personal computers and office software programs, such as Windows and Word, to efficiently prepare written work and manage caseload and calendar without assistance.</li> </ul>