

**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.

RPA-

**10604**

EFFECTIVE DATE:

DGS OFFICE OR CLIENT AGENCY LEGAL SERVICES	POSITION NUMBER (Agency - Unit - Class - Serial)
UNIT NAME AND CITY LOCATED - WEST SACRAMENTO	CLASS TITLE ATTORNEY III
WORKING DAYS AND WORKING HOURS Monday through Friday 8:00 a.m. to 5:00 p.m.	SPECIFIC LOCATION ASSIGNED TO 707 West Sacramento, CA 95605
PROPOSED INCUMBENT (If known)	CURRENT POSITION NUMBER (Agency - Unit - Class - Serial) 306-061-5795-023

YOU ARE A VALUED MEMBER OF THE DEPARTMENT'S TEAM. YOU ARE EXPECTED TO WORK COOPERATIVELY WITH TEAM MEMBERS AND OTHERS TO ENABLE THE DEPARTMENT TO PROVIDE THE HIGHEST LEVEL OF SERVICE POSSIBLE. YOUR CREATIVITY AND PRODUCTIVITY ARE ENCOURAGED. YOUR EFFORTS TO TREAT OTHERS FAIRLY, HONESTLY AND WITH RESPECT ARE IMPORTANT TO EVERYONE WHO WORKS WITH YOU.

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

Under the general direction of the Assistant Chief Counsel, and subject to the administrative review of the Deputy Director & Chief Counsel, the incumbent performs difficult and complex assignments, exercising independent legal judgment. The incumbent promotes and is accountable for customer satisfaction and quality legal service and initiates or recommends changes that promote innovative solutions to meet customer needs as prescribed by California law.

% 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)

35%	<p><b>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 form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment.</b></p> <p>The Department of General Services' (DGS) Core Values and Employee Expectations are key to the success of the Department's Mission. That mission is to "Deliver results by providing timely, cost-effective services and products that support our customers." DGS employees are to adhere to the Core Values and Employee Expectations, and to perform their duties in a way that exhibits and promotes those values and expectations.</p> <p><b>ESSENTIAL FUNCTIONS</b></p> <p>In order to provide legal guidance and opinions to customers, the incumbent will utilize California statutory and regulatory authority pertaining to state contracting, contract manual, personnel management practices; real estate matters, and other policy directives; as well as utilizing modern office methods, supplies and equipment to perform the following duties under the general direction of the Assistant Chief Counsel:</p> <ul style="list-style-type: none"> <li>Advise agencies and intradepartmental offices with respect to complex and sensitive matters which may include alternative energy development, natural gas procurement, and environmental regulatory compliance.</li> <li>Review documents and provide advice to energy managers and project managers with respect to natural gas, electricity, solar, and building retro-commissioning issues.</li> <li>Participate in complex, sensitive and high profile contract and procurement negotiations.</li> <li>Review a variety of complex contract documents to ensure compliance with law and policy.</li> <li>Prepare instructions on the preparation of contracts.</li> </ul>
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**SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE**

SUPERVISOR'S NAME (Print)	SUPERVISOR'S SIGNATURE	DATE
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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.

EMPLOYEE'S NAME (Print)	EMPLOYEE'S SIGNATURE	DATE
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35%	<ul style="list-style-type: none"> <li>• Advise agencies and prepare written opinions regarding contract matters; participate in the resolution of agencies' difficult and sensitive high profile contract problems.</li> <li>• Advise agencies and intradepartmental offices with respect to complex and sensitive matters which may include information technology procurements, complicated information technology matters, complex procurement issues, and other similar governmental issues.</li> <li>• Provide legal advice to the other operating divisions of the Department of General Services and Executive Team.</li> <li>• Prepare written opinions to resolve complex, sensitive or high profile questions of law.</li> <li>• Counsel the Director of General Services and management staff with respect to all matters.</li> <li>• Advocate the Department's position in adversarial proceedings before various boards and commissions, including representing the Department in a wide variety of matters. Such matters involve proceedings relative to personnel issues, protests, or arbitrations. The matters have an effect with regard to sensitive personnel issues, contracts involving millions of dollars or claims for extra compensation of hundreds of thousands of dollars.</li> <li>• Performs hearing officer duties in services contract protests. This involves coordination of administrative matters involving the hearing, communicating with the parties to the hearing and their representatives, review and analysis of the legal issues emanating from the hearing, and rendering a decision based on the facts and evidence provided.</li> </ul>
15%	<ul style="list-style-type: none"> <li>• Confer and act as liaison with the Attorney General in representing the department when the State is a party in litigation.</li> <li>• Provide training to multi-departmental groups, which may include the State Contracting Advisory Network (SCAN) and other customer forums.</li> </ul>
10%	<ul style="list-style-type: none"> <li>• Advise agencies and intradepartmental offices with respect to complex and sensitive matters which may include disposal of surplus real and personal property; complicated leasing matters, real property sales and acquisitions.</li> <li>• Draft and review leases and bond financing documents to ensure the use of the property is consistent with statutory requirements and the appropriate funding mechanisms.</li> <li>• Advise agencies and intradepartmental offices with respect to bond financing issues.</li> </ul>
5%	<p><b>MARGINAL FUNCTIONS</b></p> <ul style="list-style-type: none"> <li>• Analyzes and drafts legislation and regulations relating to matters of importance to the Department and the probable effect of new legislation on state programs.</li> </ul>
	<p><b>KNOWLEDGE AND ABILITIES</b></p> <p><i>Knowledge of:</i></p> <ul style="list-style-type: none"> <li>• Legal research methods and performing research;</li> <li>• Legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution;</li> <li>• Principles of administrative and constitutional law;</li> <li>• Trial and hearing procedure; and rules of evidence;</li> <li>• Court procedures;</li> <li>• Administrative law and the conduct of proceedings before administrative bodies;</li> <li>• Legal terms and forms in common use;</li> <li>• Statutory and case law literature and authorities;</li> <li>• Provisions of laws and Government Code sections administered or enforced.</li> </ul> <p><i>Ability to:</i></p> <ul style="list-style-type: none"> <li>• Research;</li> <li>• Analyze, appraise, and apply legal principles, facts, and precedents to legal problems;</li> <li>• Analyze situations accurately and adopt an effective course of action;</li> <li>• Prepare and present statements of fact, law, and argument clearly and logically in written and oral form;</li> <li>• Prepare correspondence involving the explanation of legal matters;</li> </ul>

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	<ul style="list-style-type: none"> <li>• Draft opinions, pleadings, rulings, regulations, and legislation;</li> <li>• Negotiate effectively and conduct crucial litigation;</li> <li>• Work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others;</li> <li>• Work effectively under pressure.</li> </ul> <p><b>SPECIAL REQUIREMENTS:</b></p> <ul style="list-style-type: none"> <li>• Possess 6 or more years of legal experience.</li> <li>• A member in good standing with the California State Bar.</li> </ul> <p><b>DESIRABLE QUALIFICATIONS:</b></p> <ul style="list-style-type: none"> <li>• Possess basic computer skills, such as word processing, Internet, email.</li> <li>• Experience in working with clients in a professional, competent manner.</li> </ul> <p><b>SPECIAL PERSONAL CHARACTERISTICS:</b></p> <ul style="list-style-type: none"> <li>• Ability to prioritize multiple, changing assignments within short deadlines.</li> <li>• Knowledge of court rules.</li> <li>• Knowledge and ability to review and assist in the preparation of state contracts.</li> <li>• Knowledge and ability to review information technology contracts.</li> <li>• Knowledge of real estate law governing transactions involving the State of California.</li> <li>• Ability to draft statutes.</li> <li>• Ability to participate in the development of strategies for complex, sensitive, high profile litigation.</li> <li>• Ability to use legal research tools such as Westlaw.</li> <li>• Willingness to travel.</li> </ul> <p><b>INTERPERSONAL SKILLS:</b></p> <ul style="list-style-type: none"> <li>• Work well in a team-oriented environment, with strong interpersonal skills.</li> <li>• Responsive to client needs and be able to handle complex legal matters.</li> <li>• Ability to communicate with a diverse community, which may involve some exposure to aggressive clientele or adversarial conditions.</li> </ul> <p><b>WORK ENVIRONMENT, PHYSICAL OR MENTAL ABILITIES REQUIRED TO PERFORM DUTIES:</b></p> <p><b>WORK ENVIRONMENT</b></p> <ul style="list-style-type: none"> <li>• Standard office setting.</li> <li>• Appropriate business dress for the work environment.</li> </ul> <p><b>MENTAL ABILITIES</b></p> <ul style="list-style-type: none"> <li>• Effectively manage stress associated with multiple projects and assignments under short time constraints.</li> <li>• Ability to work well under difficult circumstances.</li> </ul> <p>Some of the above requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.</p>