

Deputy Attorney, Caltrans Series

California State Personnel Board Specification

Series established October 22, 1970

Scope

The classes in this series are used in the Department of Transportation to perform a wide variety of legal work concerned with the preparation and trial of cases arising in connection with the work of the Department; preparing and presenting briefs in the appellate courts; drafting and analyzing proposed legislation and representing the Department before legislative committees; performing legal research; preparation and approval of contract specifications, construction contracts and conveyances; preparing legal opinions and conferring with officers of the Department; conferring with property owners and their attorneys, and negotiating settlements on legal problems; and drafting and analyzing rules and regulations. The series includes classes which are primarily nonsupervisory in nature.

The series is available for use only in the Department of Transportation. Entry into this class series requires membership in The California State Bar. The class Graduate Legal Assistant, which requires eligibility to take The California State Bar examination, is also used to recruit those interested in pursuing legal careers in the State service.

Schem Code	Class Code	Class
OO47	5779	Deputy Attorney, Caltrans
OO40	5789	Deputy Attorney III, Caltrans
OO35	5788	Deputy Attorney IV, Caltrans

Deputy Attorney, Caltrans Series Specification - Class Titles and Codes

Definition of Series

All Levels:

All levels in this series generally perform similar duties. Differences between classes are essentially differences in the level of service and expertise incumbents can be expected to provide and in the difficulty of assignments which they receive.

Deputy Attorney, Caltrans

This is a recruitment and developmental class for persons qualified to practice law in the State of California. Incumbents assigned to Range A perform the least difficult professional legal work in the Department of Transportation. Based upon the appropriate alternate range criteria, incumbents advance to Range B, C, and D and are assigned progressively more difficult professional legal work as their competence increases. Incumbents assigned to Range D are assigned the more complex and sensitive legal work in this class.

Deputy Attorney III, Caltrans

Incumbents in this class are well-experienced attorneys who have developed the expertise necessary to capably perform the most complex and sensitive legal work of the Department of Transportation on an independent basis. A Deputy Attorney III, Caltrans, is usually assigned only the most important legal work such as: (a) condemnation and inverse condemnation, tort liability, construction contract, or other cases which involve a substantial sum; or (b) litigation having unusually important new points of law; or (c) legal research, counseling, or negotiation work on unusually complex problems that have far-reaching implications on the statewide program of the Department. They may work in a lead capacity over the work of other attorneys.

Deputy Attorney IV, Caltrans

Incumbents in this class are very experienced attorneys who are experts in a broad or specialized area of law and have demonstrated their ability to independently perform assignments consisting of the most complex and sensitive legal work in the Department of Transportation and consistently produce the most favorable results on these projects. A Deputy Attorney IV, Caltrans, is assigned only the most important legal work such as: (a) complex condemnation and inverse condemnation, tort liability, construction contract, or other cases which involve a very substantial sum; or (b) litigation having exceptionally important new points of law; or (c) legal research, counseling, or negotiation work on problems which are exceptionally complex that have far-reaching implications on the statewide program of the Department. They may work in a lead capacity over the work of other attorneys.

Minimum Qualifications

All candidates must have active membership in The California State Bar.

Deputy Attorney, Caltrans

Membership in The California State Bar. (Applicants must have active membership in The California State Bar before they will be eligible for appointment. 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 California State Bar.)

Deputy Attorney III, Caltrans

Six years of experience in the practice of civil law*, at least three years of which shall have included functioning in a lead capacity involved in complex litigation including extensive appellate practice before State and Federal appellate courts. (Applicants who have completed five years and six months of the required experience will be admitted to the examination but must complete two years of such experience before they will be eligible for appointment.)

Deputy Attorney IV, Caltrans

Ten years of legal experience in the practice of law*, four years of which must have been at a level of responsibility equivalent to a Deputy Attorney III, Caltrans. (Applicants who have completed nine years and six months of required total legal experience including three years and six month of the required experience comparable to the Deputy Attorney III, Caltrans, class will be admitted to the examination but must complete the required ten years' total legal experience.

Knowledge and Abilities

All Levels:

Knowledge of: Legal principles and practices with particular reference to the law of eminent domain, public tort liability, contracts, and laws governing public officers and agencies; State Contract Act and the statutes and constitutional provisions governing the organization and conduct of the work of the Department of Transportation; law relating to public highways; Federal Highways Act and other Federal aid statutes relating to highways; California law relating to acquisition, financing, administration, and construction of toll bridges; law governing the relations of the Department of Transportation with public utilities and public agencies; trial and appellate court procedure and of the rules of evidence; methods used in appraising real property and of the problems involved in negotiating for rights of way; and safety, health, affirmative action, and labor relations and the processes available to meet these program objectives.

Ability to: Prepare and conduct actions and proceedings before courts and administrative bodies; analyze and appraise legal problems and apply legal principles and precedents to particular sets of facts; plan and direct a program of complex legal work and direct the work of assistants; write clear and concise reports and opinions and dictate difficult legal correspondence; present oral statements of fact, law, and argument clearly and logically; maintain the confidence and respect of members of the legal profession and other persons; and effectively contribute to the Department's safety, health, affirmative action, and labor relations objectives.

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

Class History

Class	Date Established	Date Revised	Title Changed
Deputy Attorney, Caltrans	12/17/1985	04/24/2012	--
Deputy Attorney III, Caltrans	08/02/1952	04/24/2012	12/17/1985
Deputy Attorney IV, Caltrans	10/22/1970	04/24/2012	12/17/1985

Deputy Attorney, Caltrans Series History - Dates Established, Revised, and Title Changed

Alternate Range Criteria 219

Established 12/17/85 Revised 4/24/12

Experience gained outside State service may be credited only if the appointing power believes the experience was satisfactory and comparable in type and quality to that of a Deputy Attorney, Caltrans.

Range A. This range shall apply to individuals who are active members of The State Bar of California and who do not meet the criteria for payment in Range B, C, or D.

Range B. This range shall apply to individuals who are active members of The State Bar of California who, in addition, have satisfactorily completed one year of experience in the practice of law.

Range C. This range shall apply to individuals who are active members of The State Bar of California who, in addition, have satisfactorily completed two years of responsible experience in the practice of civil law including one year of trial experience.

Range D. This range shall apply to individuals who are active members of The State Bar of California who, in addition, have satisfactorily completed four years of responsible experience in the practice of civil law, of which at least three years must have been in trial experience.

For the purposes of this Alternate Range, experience in the practice of law or performing legal duties 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, to constitute experience in the practice of law. For an individual's judicial clerkship to qualify as experience in the practice of law or performing legal duties, the experience must have been gained after receipt of a Juris Doctor or equivalent degree.

When the requirements for the particular criteria are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of DPA Rule 599.676.

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

Updated 6/3/2012