

Allocation Guidelines

Classifications	Complexity/Sensitivity/Difficulty	Independence of Action	Duties Exercised	Supervision Received/ Exercised	Judgment needed for application	Scope/Effect	Personal Contact	Consequence of Error
Attorney IV	<ul style="list-style-type: none"> • Great difficulty and sensitivity involving cases that are more complex or more technical fact patterns. • Cases involving pre- and post-hearing practice and procedures, including but not limited to motions, discovery, and negotiation. • Cases involving opposing counsel who have a high level of specialization. Exceptionally difficult. • On a complexity continuum, a department at the low end would have a legal program involving a narrow range of legal or factual issues characterized by relatively settled points of law, whereas a department at the high end would have a legal program involving the broadest range of legal or factual issues which may be characterized by new or unsettled points of law. 	<ul style="list-style-type: none"> • Independently performs the more complex and sensitive legal services with broad discretion. 	<ul style="list-style-type: none"> • Analyze documents (e.g., briefs, pleadings, letters, motions, petitions, claims, contracts) to understand and evaluate legal issues and formulate responses. • Analyze proposed courses of action to determine whether the action is legal, ethical, and consistent with broader policy goals of the State and the department, and decide how to proceed accordingly. • Interpret and apply authority relating to the case, question, or issue presented. • Review any document or communication (e.g., parties' pleadings, internal memo, agency report, constituent letter, email) to determine the appropriate course(s) of action. 	<ul style="list-style-type: none"> • Reporting to the Constitutional Officer, exempt appointee of the Governor, or the department's Chief Counsel or Assistant Chief Counsel, or their designee. • Leadperson who assigns and directs work and/or who routinely advises other attorneys. 	<ul style="list-style-type: none"> • Incumbents experienced a high degree of independent judgment and making determinations. 	<ul style="list-style-type: none"> • Involves novel theories and/or practice involving rapid evolution of law, legal area specialization, legal expert, presidential value. • Involves opposing counsel or representatives who have a high level of experience and specialization. 	<ul style="list-style-type: none"> • Advice routinely given to one or more of the following: State and non-State agencies, constitutional officers, legislative members, high-level Governor appointees, district attorneys, county counsels, grand juries, department directors. 	<ul style="list-style-type: none"> • Impacts a substantial/ major number of current and/or future California residents. • Substantial/ major impact on important federal and/or local financial, legal, or policy issues. • Substantial/ major impact on the State fiscally. • Far reaching consequences.
Attorney V	<ul style="list-style-type: none"> • Cases involving Opposing Counsel who have a high level of specialization. • Nature of department/ agency served. • Negotiate between political factions. • May personally perform the most difficult and complex litigation, negotiation, legislative liaison, hearings, legal research and opinion drafting. • Possess the ability to develop inter-governmental strategies, and mediate long-standing institutional and policy disputes . • Develop strategy and tactics in the most complex disputes or litigation. • Foster coalitions to support sensitive policy positions. 	<ul style="list-style-type: none"> • Highly independent following general direction. 	<ul style="list-style-type: none"> • Analyze documents (e.g., briefs, pleadings, letters, motions, petitions, claims, contracts) to understand and evaluate legal issues and formulate responses. • Analyze proposed courses of action to determine whether the action is legal, ethical, and consistent with broader policy goals of the State and the department, and decide how to proceed accordingly. • Interpret and apply authority relating to the case, question, or issue presented. • Review any document or communication (e.g., parties' pleadings, internal memo, agency report, constituent letter, email) to determine the appropriate course(s) of action. 	<ul style="list-style-type: none"> • Reporting to the Constitutional Officer, exempt appointee of the Governor, or the department's Chief Counsel, or their designee, due to salary implications. • Leadperson who assigns and directs work and/or who routinely advises other attorneys. 	<ul style="list-style-type: none"> • Incumbents experienced a high degree of independent judgment and making determinations. 	<ul style="list-style-type: none"> • Who is widely recognized as having distinguished herself/ himself in a special field of knowledge and who will serve as the department's top expert in that field. • Involves innovative theories, practices of law, specialization in law, level of expertise. 	<ul style="list-style-type: none"> • Frequent contact with legislature, high level governor appointees, constitutional officers, and general public. 	<ul style="list-style-type: none"> • High consequence of error, impacts a substantial number of California residents. • Impact federal and/ or local financial, legal, or policy issues. • Impact on the state fiscally. • Far reaching consequences. • Incumbents are determining final decisions.