



State of California

Office of Data and Innovation

401 I Street Suite 200, Sacramento, California 95814

Duty Statement

☐ Current ☒ Proposed

Classification Chief Counsel (Exempt)	Office/Department Office of Data & Innovation (ODI)
Working Title Chief Counsel	Unit/Section Executive Team
Position Number 418-100-1410-001	Effective Date
Name Vacant	Prepared 06/04/2025

General Statement

Under the administrative direction of the Chief Deputy Director, the Chief Counsel serves as the principal legal advisor to the Office of Data and Innovation (ODI) and the Director. The Chief Counsel provides all legal advice and representation to ODI, and is responsible for setting policy and procedures, directing operational activities, advocating solutions and positions, engaging in contracts and procurement efforts, ensuring compliance with privacy law and policies, and implementing new programs and systems. The Chief Counsel provides advice, counsel, and specialized legal services to ODI on legal issues related to contracts, conflicts of interest, human resources, Generative Artificial Intelligence, legislation, information technology (IT), regulations and policies, and other administrative and programmatic topic areas. As a member of the executive management team, the incumbent serves in a high administrative and policy-influencing capacity with significant responsibility for formulating goals, policies, and business objectives for ODI.

This position requires consistent and regular attendance; communicate effectively and professionally (both orally and in writing) in dealing with the public consultants and/or ODI personnel; develop and maintain knowledge and skills related to specific tasks, methodologies, materials, tools and equipment; complete assignments in a timely manner; and adhere to all departmental policies and procedures.

Essential Functions

Percentages	Description
25%	<p>Strategic Legal Counsel and Policy Development</p> <ul style="list-style-type: none"> Provides legal expertise for the development and implementation of ODI programs and policies, also including statewide policies and Executive Orders. Provides legal advice and counsel to the Director and ODI staff on administrative and ODI programmatic topics to address the legal consequences of various topics and/or proposals; <p>Litigation and Legal Representation</p> <ul style="list-style-type: none"> Reviews and coordinates all litigation matters involving ODI; Represents ODI before various entities including, but not limited to, the Equal Employment Opportunity Commission, Department of Fair Housing and Employment, Victim Compensation and Government Claims Board, and the Fair Political Practices Commission; Functions as the principal liaison to the Office of the Attorney General or any other entity representing ODI in administrative and civil litigation; Prepares and/or reviews pleadings, briefings, and other legal documents in sensitive litigation related to legislative rules, regulations, policies, public record requests, Political Reform Act, personnel actions, and statewide procurement policies; Conducts legal research and analysis on complex contract law and provides legal recommendations to ODI executives Prepares and/or reviews letters, opinions, and orders on complex legal questions and cases. Makes determinations on enforcement actions and renders legal opinions regarding the intent of the law to assure ODI's operations. Develops and provides final approval to opinions and policies prepared for issuance by the office on behalf of the Director. Responds to requests from the Governor's Office and the Government Operations Agency (GovOPS) regarding ODI's legal views on various matters;
20%	<p>Legislative Analysis and Regulatory Compliance</p> <ul style="list-style-type: none"> Performs legislative bill analysis and interprets proposed rules and regulations regarding matters of interest to ODI; Interprets existing legal policy (statutes, regulations, court decisions) and evaluates existing legal policy for necessity, clarity, consistency with other legal policy, effectiveness; Reviews proposed statutes, rules, policies, agreements, and decisions to ensure compliance with applicable legal requirements; Acts as Filing Officer for ODI's Form 700 filers and provides Fair Political Practices Commission advisory support to ODI staff. Oversees preparation of budget issues concerning ODI legal matters and assists with presenting them to the Legislature;

15%	<p>Chief Privacy Officer</p> <ul style="list-style-type: none"> Serves as ODI’s Chief Privacy Officer (CPO) and leads the Privacy Program. The CPO is the subject matter expert responsible for ensuring compliance with the California Information Practices Act and other state and federal privacy laws and regulations. Advises senior leadership on privacy strategy and tactics and develops, recommends, and coordinates privacy policy drafting and implementation, including procedures, practices, training, and guidelines to ensure the integrity, confidentiality, reliability, and appropriate use of ODI information assets. Provides privacy law expertise on department confidential data privacy/security breach legal issues, including the application of federal and state privacy laws applicable to ODI and its contractors. <p>Privacy Consulting and Impact Assessments</p> <ul style="list-style-type: none"> Consults with ODI’s Deputy Director of Operations (DDO), Information Officer (CIO) and Chief Information Security Officer (CISO) regarding the privacy program to support the privacy impact assessment process with guidance and consultation in close collaboration with business stakeholders and CISO. Collaborates with the CISO to determine privacy-related requirements and potential vulnerabilities specific to ODI.
15%	<p>Contract Management and Procurement</p> <ul style="list-style-type: none"> Oversees preparation of budget issues concerning ODI legal matters and assists with presenting them to the Legislature; Serves as legal advisor to ODI staff in procurement and bidding, contract administration, and enforcement. Provides legal support in document preparation and in negotiations with bidders. Functions as the principal liaison in procurement protest hearings and/or will supervise attorney(s) assigned to the protest Oversees all contracts executed by ODI for legal and policy compliance and consistency; Reviews all Requests for Proposals and other funding applications for compliance with state and federal laws and regulations;

Marginal Functions

5%	<ul style="list-style-type: none"> Perform other executive assignments as appropriate and required.
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Supervision Received

The Chief Counsel will report to the Chief Deputy Director.

Supervision Exercised

None.

Working Conditions

The employee regularly works in an indoor and climate-controlled office setting under artificial light. The employee's workstation is located in Sacramento, CA, and is equipped with standard or ergonomic office equipment, as appropriate. Based on departmental or operational needs, work can be performed remotely under the departmental Telework Policy. Occasional travel may be required to attend offsite meetings, conferences, and training classes. May sit for an extended period using a keyboard and video display terminal. On occasion, may require flexible work schedules, including some evening hours to complete assignments, meet deadlines, and provide support to the Directorate.

Attendance

Must maintain regular and acceptable attendance at such a level as is determined ODI's sole discretion. Must be regularly available and willing to work the hours the department determines are necessary or desirable to meet its business needs.

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. *(If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor.)

A Reasonable Accommodation is any modification or adjustment made to a job, work environment, or employment practice or process that enables an individual with a disability or medical condition to perform the essential functions of their job or to enjoy an equal employment opportunity.

Duties of this position are subject to change and may be revised as needed or required.

Employee Signature	Employee Printed Name	Date

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature	Supervisor Printed Name	Date