

# Civil Service Commission



**Jed Nicholson** *Commission President, District 1*

**Lesley Santos** *District 2*

**Erica Flores Baltodano** *Commission Vice President, District 3*

**David Warren** *District 4*

**Robert Bergman** *District 5*

**Tami Douglas-Schatz** *Commission Secretary*

## AGENDA

### County of San Luis Obispo Civil Service Commission Regular Session Meeting

Wednesday, October 25, 2023 @ 9:00 a.m.

1055 Monterey Street, Suite D-271, San Luis Obispo, CA 93408

**1. Call to Order / Flag Salute / Roll Call**

**2. Public Comment Period**

Members of the public wishing to address the Civil Service Commission on matters other than those scheduled below may do so when recognized by the President. Presentations are limited to three minutes per individual.

**3. Reports**

Commission President  
Commission Counsel  
Commission Outside Counsel  
Commission Secretary

**4. Consideration of a directive to Human Resources to restudy the Legal Clerk positions in the Department of Social Services**

- a. Memo and attachments

**5. Public Comment on Closed Session Item**

Members of the public wishing to address the Civil Service Commission on Closed Session matters agendaed here may do so when recognized by the President. Presentations are limited to three minutes per individual.

**6. Closed Session –Public Employee Discipline (per Government Code Section 54957(b)): Hearing and deliberations regarding Appeal # A22-02**

# Civil Service Commission

---

7. **CLOSED SESSION: Conference with County Labor Negotiator regarding Civil Service Rule Update. (Gov Code Section 54957.6):** Agency designated representative: Tami Douglas-Schatz, or designee
8. **Adjournment**



TO: Civil Service Commission

DATE: October 25, 2023

FROM: Michael Hobbs, Principal Human Resources Analyst

SUBJECT: Consideration of a directive to Human Resources to restudy the Legal Clerk positions in the Department of Social Services.

**BACKGROUND**

***Civil Service Commission Rule 5 Provides the Process for Creating, Revising, and Abolishing Classifications***

Civil Service Commission Rule 5. "Classification" provides for the process of establishing new classes and revising or abolishing existing classes of positions. It details the intent of class specifications and how they should be interpreted, and it outlines the responsibility of Human Resources (HR) to conduct classification studies and when those studies should be performed. It also specifies the appeal process for employees or appointing authorities who are affected by a classification action.

***Summary of September 2022 Request from the Department of Social Services to Create Department-Specific Classifications***

On September 29, 2022, the Department of Social Services (DSS) submitted a request to Human Resources (HR) to determine if department-specific classifications should be created to use in place of the existing Legal Clerk classifications for their Legal Clerk positions. This followed an initial request from August 2021, since HR was not able to study the request in August 2021 due to its involvement in the COVID-19 pandemic response. The request submitted on September 29, 2022, also included the information that was submitted in 2021. HR conducted a lengthy and detailed review of DSS' request, including: an evaluation of all of the documentation provided by DSS, interviews with DSS Legal Clerks,

multiple meetings with both the Director and Deputy Director of DSS, market analysis, and consideration of impacts on other County departments. Human Resources issued a final determination to DSS on March 28, 2023, denying their request for new classifications. HR's analysis indicated that the existing Legal Clerk classifications were still appropriate for the department. HR also informed DSS that HR would be working on revisions to the Legal Clerk classifications that would pertain to all departments in the County with Legal Clerk classifications.

***Action Taken by Civil Service Commission and Summary of Discussions and Comments from the September 27, 2023, Civil Service Commission Meeting***

Recommended changes to the Legal Clerk classifications were brought to the Civil Service Commission (CSC or Commission) on September 27, 2023, for approval. The recommended changes included revisions to the Legal Clerk specifications language, the creation of a new Legal Clerk I/II/III classification series, and the creation of a single Supervising Legal Clerk classification. HR's revisions were approved as presented by the Commission.<sup>1</sup> However, based on public comment from the Director of Social Services, several DSS employees, and the San Luis Obispo County Employees Association (SLOCEA), the Commission directed HR to add an agenda item at a subsequent meeting for the Commission to consider a directive to HR to restudy the Legal Clerk positions in DSS.

***HR did not Expect to Respond to an Impromptu Appeal of the Classification Determination***

The recommended action before the CSC was to approve the creation of a new class series and revise existing job specifications. During the public comment period, representatives from six County departments with Legal Clerk positions, four incumbents in the Legal Clerk and Supervising Legal Clerk classifications, and a representative from SLOCEA spoke to this item. With the exception of DSS, all department representatives were in favor of HR's recommendation. Comments from the Legal Clerk employees, SLOCEA and the DSS Director voiced dissatisfaction with the study process and described justifications on why they felt DSS-specific classifications were more appropriate. The DSS Director spoke to how he was appreciative of the new Legal Clerk III classification but expressed that Legal Clerks in his department are unique as they do not have oversight of an attorney and how they must operate at a higher level of independence than in other departments. The employees generally spoke

---

<sup>1</sup> The reclassification of incumbents, compensation, and bargaining unit placement of the classifications were subsequently approved by the County Board of Supervisors on October 17, 2023.

about how they believe their work is outside of the scope of the Legal Clerk specifications, how they function as case managers, the difficulty of their work, and how the two employee interviews conducted by HR staff were only about fifteen minutes each. SLOCEA spoke about how they believe that the new classification structure did not adequately describe the work done by Legal Clerks in the Sheriff's Office, Probation Department, and DSS, as those employees are exposed to especially disturbing or distressing information or materials, do not have attorneys in those departments to support them, and operate at a higher level of independence than in other departments. As this information would typically be presented and discussed during an appeal process, HR did not thoroughly respond to these comments during the September 27, 2023, CSC meeting. HR is taking this opportunity to fully describe its study of DSS-specific classifications and positions.

## **DISCUSSION**

### ***HR Conducted a Thorough Study of the Legal Clerk Positions within DSS***

The Legal Clerk and Supervising Legal Clerk classifications are shared with seven County departments: County Counsel's Office, the Department of Child Support Services, the Department of Public Works, the Department of Social Services, the District Attorney's Office, the Probation Department, and the Sheriff's Office. Before DSS submitted a classification study request form on September 29, 2022, HR had been made aware of a need to revise the Legal Clerk classifications through meetings with County Counsel's Office, the Department of Child Support Services, DSS, and the Sheriff's Office. Before considering potential changes to the County-wide Legal Clerk specifications, HR felt it was important to do a thorough study on DSS's request to determine if department-specific classifications were warranted.

After receiving the classification study request form from DSS on September 29, 2022, HR commenced the study. The documentation that DSS submitted included a thirteen-page justification and analysis of their proposed classifications of DSS Legal Support Specialist I/II/III and Supervising Legal Support Specialist. This information included a position statement to justify the changes; proposed job specification language recommendations including definitions, typical tasks and representative duties, distinguishing characteristics, knowledge, skills, and abilities, and minimum qualifications; classification titles; a comparison to the Legal Clerk and Administrative Assistant classifications; and proposed salaries. The September 2022 classification study request form included proposed reclassifications of incumbents; background on the need for the changes; the duties that DSS felt were outside of the current job classification; job specification language including specification

titles, definitions, typical tasks and representative duties, distinguishing characteristics, knowledge, skills, and abilities, and minimum qualifications; and a comparison to the Legal Clerk and Supervising Legal Clerk classifications. HR did a very careful and detailed analysis of this documentation and compared it to the Legal Clerk and Supervising Legal Clerk classifications. This detailed written information provided much of the information that would typically have been provided by a department through a completed job analysis questionnaire or thorough interviews with employees.

As part of its study of DSS's proposed new classifications and employee reclassifications, and to clarify and supplement the information in the documentation DSS provided, HR staff met with a sample of DSS employees who are impacted by these changes. HR staff conducted brief interviews with two incumbents to validate the information provided in DSS's request to expand their understanding of the job duties and responsibilities. There was also a meeting with the Supervising Legal Clerk II who is the direct supervisor over the department's Legal Clerks. In addition to these meetings, there were at least three meetings with HR staff and the DSS Deputy Director during the study process, one of which included both the Deputy Director and the Director, before the determination was finalized on March 28, 2023. In total, HR held six interviews or meetings with DSS employees and management during this study process totaling approximately three hours.

Market analysis was done to validate the pay for the existing Legal Clerk classifications and to see if it is common for other comparable agencies to have Social Services-specific legal support classifications. The market analysis indicated that the pay of the existing classifications is appropriate, and HR did not find that any other agencies in the County's comparable market have Social Services-specific classifications as DSS requested.

HR's study was finalized on March 28, 2023 and it was determined that the duties of DSS's proposed new classifications fit within the existing Legal Clerk classifications.<sup>2</sup> However, through the process of studying DSS's request, and also from meetings held previously with other departments, HR did agree that there was a need to revise the Legal Clerk classifications for all departments and proceeded with that approach upon completion of the DSS study.

---

<sup>2</sup> The study was initially completed and submitted to DSS on January 9, 2023. HR met with DSS following submission of the study and DSS requested to provide additional information for HR to consider. HR reviewed the additional information and finalized the study on March 28, 2023.

### ***HR's Response to Public Comments***

Statements that were made by employees and SLOCEA during the public comment period on September 27, 2023, revolved around the complexity and uniqueness of the role DSS Legal Clerks perform. Among others, statements were made regarding the level of independence employees are expected to have, the difficult individuals they must interact with and the graphic materials they are exposed to, the fact that there is not an attorney in DSS to review their work, that DSS Legal Clerks function as case managers, and how their job is more closely related to Child Support Specialists in the Department of Child Support Services.

HR finds that Legal Clerks in DSS are not comparable to Child Support Specialists in the Department of Child Support Services. Among others, a key difference is that Child Support Specialists apply, "legal actions as directed by the court, to ***establish and enforce*** child and medical support,"<sup>3</sup> (emphasis added). This is an important component of the Child Support Specialist classifications that does not apply to the Legal Clerks in DSS.

HR also finds that DSS Legal Clerks are not case managers. Case management is a very specific role, and it typically relates to social workers and even more commonly to healthcare employees. Merriam-Webster defines a case manager as, "a person (as a social worker or nurse) who assists in the planning, coordination, monitoring, and evaluation of medical services for a patient with emphasis on quality of care, continuity of services, and cost-effectiveness."<sup>4</sup> Indeed.com defines a case manager as, "a specialized social worker and healthcare employee who oversees and coordinates the continued care of clinical patients."<sup>5</sup> While Legal Clerks may be assigned to certain programs or manage work associated with cases, their work does not meet the typical definition or understanding of case management. Legal Clerks perform work in support of Social Workers' case work.

Although DSS does not have attorneys in their department, Legal Clerks are not operating without the support of attorneys. There are attorneys in County Counsel's Office assigned to support DSS. Legal Clerks have access to these attorneys at any time. Other departments in the County with Legal Clerks also do not have attorneys such as the Sheriff's Office and Probation Department, but it

---

<sup>3</sup> "Child Support Specialist III" job specification, County of San Luis Obispo, <https://agency.governmentjobs.com/slocountyca/default.cfm?action=specbulletin&ClassSpecID=1022971&headerfooter=0>

<sup>4</sup> "Case Manager," Merriam-Webster, [www.merriam-webster.com/medical/case%20manager](http://www.merriam-webster.com/medical/case%20manager)

<sup>5</sup> McDonald, Samantha, "Case Managers: What They Do (Plus FAQ's About the Role)," Indeed, March 7, 2023, [www.indeed.com/career-advice/finding-a-job/case-manager-role](http://www.indeed.com/career-advice/finding-a-job/case-manager-role)

has been determined that Legal Clerks are the appropriate classifications for these departments. These departments also have access to attorneys through County Counsel's Office.

Regarding the difficult individuals DSS Legal Clerks interact with and the graphic materials that they are exposed to, this is a common and unfortunate consequence of local government work and does not indicate they are performing out of class duties. Legal Clerks in the Sheriff's Office, Probation Department, and District Attorney's Office are also subject to similar individuals or materials.

Finally, the level of independence required of employees in DSS is not unique, and the creation of the new Legal Clerk III classification was created in part for employees who perform their duties with a high level of autonomy.

### ***HR Worked with All Effected Departments***

As stated above, other departments also expressed interest in considering changes to the Legal Clerk classifications for their departments, including Child Support Services, County Counsel, and the Sheriff's Office. Following completion of the study for DSS, HR engaged with all County departments on revisions to the Legal Clerk job specification language and creation of the Legal Clerk I/II/III class series and single Supervising Legal Clerk classification, which were approved by the Commission on September 27, 2023. This process took several months and involved multiple meetings and discussions with all impacted departments. Each department provided feedback that was used in the development of the new classifications. In particular, DSS management was met with multiple times during this process and provided specific language suggestions that were incorporated into the job specifications to help ensure that they were accurate. At the end of this process, HR believed it had the support of all County departments and proceeded with the changes that were approved on September 27, 2023.

### ***Appeal Rights of HR's Classification Determination were not Exercised Pursuant to Civil Service Rules 5.06 and 4.04***

There were multiple opportunities to appeal HR's determination based on Civil Service Rules. DSS had an opportunity appeal HR's determination within ten business days of March 28, 2023, and then DSS and all other departments with Legal Clerks had the opportunity to appeal within ten days of June 28, 2023, which is when HR communicated its intent to revise the Legal Clerk specifications and recommend the creation of the new job classes. Neither DSS nor other County departments submitted an appeal of HR's determination pursuant to CSC Rules 5.06 and 4.04. An appeal would have been the appropriate venue to challenge HR's classification determinations.

***HR Staff Spent a Significant Amount of Time Working with Departments and Studying the Legal Clerk Specifications***

It is estimated that Human Resources Staff spent a total of 174 hours working on the Legal Clerk classifications changes. The time spent specifically on DSS's request for specific classifications is estimated to be 102 of those hours. This includes time spent meeting with department management, meeting with employees, analysis and research time, developing job specifications and determination memos, and preparing for the September 27, 2023, CSC meeting.

***Maintaining Generic Classifications is Beneficial to the County***

Maintaining the generic Legal Clerk I/II/III and Supervising Legal Clerk classifications for use by multiple County departments is beneficial to employees and County operations. It provides opportunities for employees to move to different departments within the County, allows for knowledge transfer between departments as lateral transfers from one department to another augment the teams that they join, and maintains internal pay equity for employees performing similar duties. This approach also limits the administrative burden of developing and maintaining numerous additional classifications and specifications.

There are instances where it is necessary or beneficial to have unique classifications for departments. Those include when there are substantially different types or levels of duties, responsibilities, and qualifications from other classifications, when the functions are specific to a single department's operations, and when market analysis indicates it is appropriate. However, when the duties, responsibilities, and minimum qualifications are substantially similar, it is beneficial and best practice for an organization to maintain a single classification.

**RESULTS**

HR acknowledges and appreciates that maintaining a County-wide classification series for Legal Clerks is not the desired outcome for DSS management or employees. However, based on the extensive analysis that was performed, HR believes that maintaining shared Legal Clerk classifications is the proper approach and that these classifications are appropriate for the DSS Legal Clerk staff. The creation of the Legal Clerk I/II/III and single Supervising Legal Clerk classification addresses a number of the concerns presented by employees, SLOCEA, and DSS management. Specifically, the new Legal Clerk

III provides an advanced level classification for highly experience and skilled employees who are able to operate independently and handle the most difficult cases. It also provides career growth opportunities that did not previously exist and provides departments with an opportunity to hire at any level in the series, thereby helping to address recruitment and retention concerns.

Given the findings of the analysis already performed, and taking into consideration public comments, it is not likely that a subsequent study would lead to a meaningfully different outcome. The creation of DSS specific classifications would be a departure from the County's current classification philosophy and would also likely lead to an increase in requests for unique classifications from other departments, which would result in a less flexible and more complicated classification and compensation structure.

#### **ATTACHMENTS**

- A. Attachment A – September 2022 Classification Study Request Form
- B. Attachment B – August 2021 Information Provided by DSS
- C. Attachment C – Comparison of Duties from DSS Request for Legal Clerk Duties (Sample of Analysis Completed)
- D. Attachment D – Presentation



## CLASSIFICATION STUDY REQUEST FORM

Date: 9/29/2022

Department: Social Services

Requestor (name, position): Linda Belch, Deputy Director

HR Services Analyst: Marilyn Biery

HR Classification & Compensation Analyst:

### REASON FOR STUDY (select 1 of 3 options)

**New Position:** to request the classification of a new position (outside of annual budget cycle).

1. Is the new position in an existing classification?

New Classification: this position is not adequately described by an existing class specification.

Existing Classification: classification title:

2. Will this position replace any existing allocated position?

If Yes, Incumbent(s) and title(s):

3. Brief summary of the position: (Describe the purpose of the position)

Individual Contributor  Lead Worker  Supervisor  Management

Reports to (position and name):

Supervisory Position?

Staff supervised:  0 - 5  5 - 10  10+

Classifications supervised:

4. Job duties: List in order of importance. For each duty estimate the percentage (%) of working time spent on each duty. The total should equal 100%.

% of Time	JOB DUTIES

For new classifications:

5. Related Classifications - please list existing classifications with similar duties, responsibilities, or required knowledge/skills/abilities, and/or those directly above or below this position.
- o County of SLO:
  - o Other agencies:

**Position Reclassification:** to request the evaluation and reclassification of a position with an incumbent.

1. Name of the incumbents

Name	Current Position	Proposed Position
Sandra Krijakian	Supervising Legal Clerk II	Supervising Social Services Legal Specialist
Christi Howard	Supervising Legal Clerk I	Social Services Legal Specialist III
Sonja (Michelle) Read	Legal Clerk	Social Services Legal Specialist I/II placement based on current step
Melody Hanshew	Legal Clerk	Social Services Legal Specialist I/II placement based on current step

**County of San Luis Obispo Government Center**

Christopher Rico	Legal Clerk	Social Services Legal Specialist I/II placement based on current step
Julie Stevens	Legal Clerk	Social Services Legal Specialist I/II placement based on current step
Vacant	Legal Clerk	Social Services Legal Specialist I/II placement based on current step

2. Background: (describe the purpose of the position and how it has changed)

The Legal Processing unit provides a unique supportive service to the Social Workers at the Department of Social Services by managing all legal aspects of Child Welfare cases including ensuring proper notification of parents, completing required relative searches and noticing, tracking deadlines for required court reports and coordinating with the assigned social worker to meet those deadlines, reviewing court reports to make sure all required components have been addressed and, if anything has been missed, returning the report to the social worker for corrections, completing data entry and document filing and working closely with the court system. As indicated, staff in the Legal Processing unit may also perform investigative tasks such as completing searches for parents, contacting Tribes to ensure compliance with the Indian Child Welfare Act and coordinating those services and supporting other legal tasks needed to comply with juvenile law.

Historically this position has been classified as a Legal Clerk, with Supervising Legal Clerks in the unit. We have experienced a high rate of turnover in this position, and often lose incumbents to other Legal Clerk positions within the County. We have been told by prior Legal Clerks that the level of responsibility and scope of work required to support our Department's needs are measurably higher and more complex than Legal Clerks in other Departments.

3. List the job duties that appear to fall outside of the current job classification. Describe what caused these duties to be added and any duties they replaced.

The Legal Clerk position has been in the Department of Social Services for a number of years, please see below for a comparison of the duties as described for Legal Clerk and how they compare to the position we are proposing titled "Social Services Legal Specialist".

We are proposing the current Legal Clerk position be reclassified to a Social Services Legal Specialist I/II career series; the current Supervising Legal Clerk I be reclassified to a Social Services Legal Specialist III which would be a competitive promotion, not part of the career series; and the current Supervising Legal Clerk II be reclassified to Supervising Social Services Legal Specialist.

<b>Legal Clerk</b>	<b>Social Services Legal Specialist I/II/III</b>
<b>Definition</b>	<b>Definition</b>
Under general supervision, performs specialized clerical work of a legal nature where the majority of tasks are completed for attorneys, the courts or the	Classes in this series work for the County's Department of Social Services/Child Welfare Services. Under general supervision, ensures compliance with

**County of San Luis Obispo Government Center**

criminal justice system demonstrating proficiency on a wide variety of office equipment. May act as a leadworker and assist in the training of other staff; does other related work as required.	all laws, regulations, procedures, and operations as it relates to the child welfare legal case management; perform specialized investigative support of a legal nature specific to juvenile law; may train and assist in the work of subordinate staff; complete other work as directed or required.
<b>Typical Tasks and Representative Duties:</b>	<b>Typical Tasks and Representative Duties:</b>
Transcribes dictation involving legal terminology	Manage a child welfare services legal caseload in accordance with county, state, federal, and tribal compliance criteria and department policy.
Types various legal documents on word processors, including complaints, briefs, motions, agreements, resolutions, ordinances, opinions, subpoenas, contracts, extradition forms, information, indictments, jury instructions and verdicts	Conduct case file reviews using knowledge of general legal office protocol and management, including organizing and maintaining case files and documents, and determine appropriate course of action
Types letters, memos and reports from dictated notes, tapes, rough drafts, or oral instructions	Interpret laws and code, incorporating changes in law into daily practices and procedures; generate appropriate legal documents for the legal proceedings in compliance with local, state, federal, and tribal mandates
Types materials from straight or clean copy, inserting and deleting specific information	Make independent decisions based upon unique and complex cases by evaluating problems/issues and applying processes
Types standard forms	Provide direction to social workers and/or social worker supervisors regarding court procedures and protocols; explain child welfare services legal processes and procedures to social workers, supervisors, and other agencies; provide support to the social workers and/or supervisors by reviewing and editing documents for court
Transcribes civil or criminal legal forms from a dictating machine	Complete specialized investigation support; assist local social workers by locating parent(s)/relatives through diligent search efforts using multiple databases and technology sources; creating/filing diligent search reports; interview case participants and familial parties and obtain documentary evidence
Composes form letters	Access department and state computer-based information systems daily to monitor and maintain case management; input and/or update data daily to maintain current records and ensure appropriate record keeping for audits; access and utilize

---

**County of San Luis Obispo Government Center**

1055 Monterey Street | San Luis Obispo, CA 93408 | (P) 805-781-5959 | (F) 805-781-1044  
 info@slocounty.ca.gov | slocounty.ca.gov

4a.012

	information from various agencies and computer-based systems for information	
Compiles and types simple and complex periodic reports	Complex interpretation of Indian Child Welfare Act (ICWA) and its application to specific cases and reporting processes	
Enters and deletes information on court calendars	Calendars matters for court	
Files legal documents with the County Clerk or with the court	May appear in court to testify	
Ensures timely processing and completion of documents in compliance with court rules and procedures	Complete other related work as directed and/or required	
Verifies accuracy of citations by comparing with legal reference books		
Places telephone calls to obtain or verify information, maintaining confidentiality regarding attorney-client communications		
Greets and assists the public		
Answering questions and explaining procedures		
May receive payments, prepare receipts for payment of fees, post payments to ledgers		
Gathers files and other information based on court calendars		
Sets up new case files		
Files and deletes supplements in code books		
Keeps abreast of legislation affecting legal procedures and county and special districts' organization		
Operates a variety of office automation equipment which may include word processors, microcomputers, on-line terminals, copiers, optical scanners, telecopiers and teletype equipment		
<b>Supervising Legal Clerk I</b>		<b>Social Services Legal Specialist III</b>
<b>Typical Tasks and Representative Duties</b>		<b>Typical Tasks and Representative Duties</b>
<b><i>In addition to tasks and duties of a Legal Clerk as outlined above:</i></b>	<b><i>In addition to tasks and duties of a Social Services Legal Specialist I/II as outlined above:</i></b>	
Assists in the training of new employees	Is the Lead Worker in this classification	
May supervise a staff of clerical workers engaged in preparation of legal documents and reports	Assists in training, mentoring and leading the Social Services Specialists I/II in this classification	
	May assist in the development and implementation of policies and procedures	

**County of San Luis Obispo Government Center**

	May act in supervisor's absence as required
<b>Supervising Legal Clerk II</b>	<b>Supervising Social Services Legal Specialist</b>
<b>Typical Tasks and Representative Duties</b>	<b>Typical Tasks and Representative Duties</b>
Coordinates and supervises the work of a clerical staff	Provides supervision, direction, training, and development for subordinates
Plans and organizes workload and assignments	Liaison for the County of San Luis Obispo for the Interstate Compact on the Placement of Children (ICPC)
Coordinates payroll and personnel transactions	Serve as a technical resource/subject matter expert for department staff
Attends meetings with departmental staff and other departments and agencies;	Serve as liaison for the unit with the Juvenile Court
Maintains a working knowledge of the various systems and procedures in the department	Review difficult cases and recommend appropriate action
May assist in the preparation of the departmental budget	Research, analyze, create, organize, revise, edit, and assist in the development of technical documentation, forms, procedures, and guides for department and/or unit use
Keeps abreast of legislation affecting legal procedures and county and special districts' organization;	Represent the department/unit in department, multi-agency, state-wide, or nation-wide committees and workgroups; may include coordinating and providing training
Implements new office procedures when necessary	Conduct quality control of subordinate work to ensure compliance with local, state, and federal mandates
Trains and evaluates employees	Complete performance evaluations for subordinate staff
Provides assistance to the administrative staff of the department	Collaborate with other supervisors in coordinating the activities of professional and technical staff
Gathers information and compiles reports, maintaining confidentiality regarding attorney-client communications	Gather data and produce detailed oral, written and/or statistical reports
Checks legal references for correct citations	Prepare reports relating to activities of team
Prepares recommendations for solving various problems	Receive and prepare correspondence
Maintains familiarity with the office equipment in the department	May be required to testify in court
May be required to operate or may supervisor those who operate automated office equipment, including word processors, personal computers, data processing equipment, facsimile, electronic copiers,	

**County of San Luis Obispo Government Center**

1055 Monterey Street | San Luis Obispo, CA 93408 | (P) 805-781-5959 | (F) 805-781-1044  
 info@slocounty.ca.gov | slocounty.ca.gov

4a.014

printers, adding machines, calculators and other modern office equipment	
Estimates supply and equipment requirements and maintains inventory of all supplies	

4. Recommendation and rationale for continuation of revised assignment of duties (how we should move forward and why – basis for PAL change):

The work completed by the Legal Processing unit is vital to efficient and effective operations. By having one centralized unit who supports all aspects of ensuring compliance with legal requirements, the Department is able to ensure consistency has a “checks and balance” system in place to make sure we are meeting all legal mandates. In speaking with other Social Services departments, it is typical to have a specialized group who assists with these tasks rather than having these tasks assigned to the case carrying social worker.

By creating a classification that better describes the work this unit completes, the staff will be afforded the correct compensation scale, recruitment and retention will be improved, and staff moral will be improved.

5. Are there other job classifications that appear to better reflect the assigned job duties?

The work these classifications complete would more closely align with the Child Support Specialist series. While these staff work with Child Welfare regulations not Child Support, the specialization required to effectively complete the work is similar and further demonstrates the need to differentiate these staff from the general Legal Clerk classification.

6. PAL considerations:

7. Timing considerations:

8. Job duties: List in order of importance. For each duty estimate the percentage (%) of working time spent on each duty. The total should equal 100%.

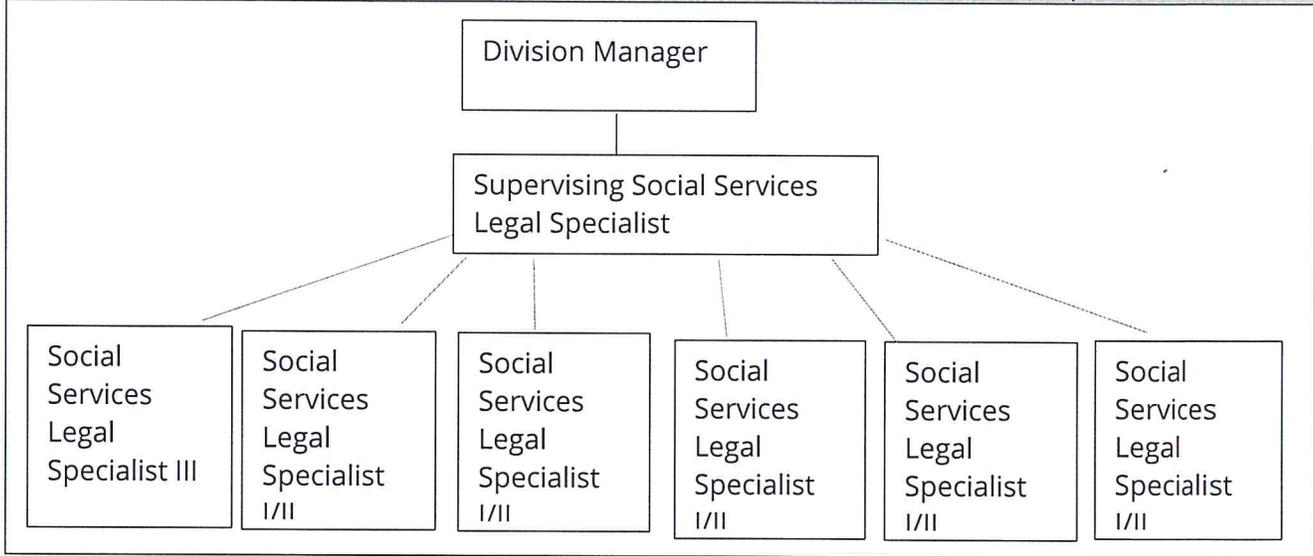
Please see chart pasted above that lists suggested representative job duties.

% of Time	JOB DUTIES

**Revised Classification** (specification): to update an existing specification for a significant change in duties, responsibilities, required qualifications, or conditions of employment.

1. Current Title:
2. Summary of the new or revised duties or responsibilities:
3. Revised Employment Standards, qualifications, or Conditions of Employment:
4. Which position(s), if any, are currently performing added duties?  
Incumbent(s) and title(s):

**ORGANIZATION CHART** Required for all the 3 options above. Attach, or draw/paste below.



**ADDITIONAL INFORMATION**

Please see attached document which include additional detail such as suggested qualifications. We are suggesting pay be aligned with the Child Support Specialist position.

**ATTACHMENTS**

Please attach available documents that might inform the discussion and analysis such as draft org charts, specifications, memos, etc.

**SIGNATURES**

	Name	Signature
Person completing the form:	<i>[Handwritten Signature]</i>	
Manager:		
Appointing Authority:		

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

The Legal Processing Unit with the Department of Social Services is more than “clerical” support. We are a unique unit with a unique skill set. The complexity of the work completed by this unit takes a minimum of two years to learn and understand. We need a career series that will provide unit members incentive and an opportunity to grow and advance, and retain employees.

Our team is not task-driven, but rather case managers of the legal processing aspect of the case. This unit is not specifically directed by an attorney to complete required tasks to keep the case moving; rather, each unit member must manage their cases by ensuring noticing, reports, data entry, document filing, etc., is completed timely and accurately to keep the case moving forward towards permanency without unnecessary delay.

We have difficulty retaining employees due to complexity of the caseload, work volume, stress associated with the short timelines required in this position, and appropriate compensation for the required skill set. We have a six (6) month probationary period (with a possible additional three (3) months) to evaluate whether or not an individual will be able to complete the tasks assigned to this position, and successfully manage a caseload.

The education, experience, and compensation currently listed for the position of a Legal Clerk does not provide us with a candidate pool that supports successful employees, nor the retention of employees.

Since 2016, this unit has experienced four unsuccessful candidates and four employees that passed probation but then left Social Services. That is eight people that had to be trained just in over five years. The amount of effort and time spent on these candidates has created a huge drain on those remaining clerks, as they are tasked to carry the workload.

During this same timeframe, we have revamped our training protocols, verification, and accountability in an effort to ensure success. We have developed and implemented, and continue to develop extensive testing regime in an effort to identify candidates who will be successful in this position.

CURRENT POSITION CLASSIFICATION DEFINITIONS / PROPOSED POSITION CLASSIFICATION DEFINITIONS	
<b>Legal Clerk</b>	<b>Social Services Legal Specialist I/II/III</b>
<b>Definition</b>	<b>Definition</b>
Under general supervision, performs specialized clerical work of a legal nature where the majority of tasks are completed for attorneys, the courts or the criminal justice system demonstrating proficiency on a wide variety of office equipment. May act as a leadworker and assist in the training of other staff; does other related work as required.	Classes in this series work for the County’s Department of Social Services/Child Welfare Services. Under general supervision, ensures compliance with all laws, regulations, procedures, and operations as it relates to the child welfare legal case management; perform specialized investigative support of a legal nature specific to juvenile law; may train and assist in the work of subordinate staff; complete other work as directed or required.
<b>Supervising Legal Clerk I</b>	
<b>Definition</b>	
Under direction, is a working supervisor; trains and directs the work of subordinate staff assigned; performs specialized clerical work of a legal nature where the majority of tasks are completed for attorneys, the courts or the criminal justice system; may provide administrative assistance to the department head; and does other related work as required.	
<b>Administrative Assistant III (only existing/current position assigned as ICWA AA)</b>	
<b>Definition</b>	
Administrative Assistant III is part of a career series for Administrative Assistant Aide, I, II and III. Classes in this series perform a variety of clerical duties in all county departments ranging from sorting, filing, reception, an customer service	

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

duties to specialized clerical and technical administrative support duties; do other related work as required. This is a career advancement series. Incumbents within the series are considered for promotion to a higher class based upon demonstrated progressively responsible job assignments, performance, and knowledge, skills and abilities needed for the more difficult and complex duties of the higher class within the series.	
---	--

Over the years, the responsibility and complexity of the duties and tasks has separated us from strictly clerical. It is important now more than ever, that given the past 18 months of changes, we reclassify to a case managing position. The typical tasks and representative duties of the Legal Clerk no longer accurately depict the tasks we complete here at Social Services – while our duties may encompass some of the published Legal Clerk duties, we are tasked with more complex, time sensitive, case-management work.

CURRENT POSITION CLASSIFICATION TYPICAL TASKS AND REPRESENTATIVE DUTIES / PROPOSED POSITION CLASSIFICATION TYPICAL TASKS AND REPRESENTATIVE DUTIES	
<b>Legal Clerk</b>	<b>Social Services Legal Specialist I/II/III</b>
<b>Typical Tasks and Representative Duties:</b>	<b>Typical Tasks and Representative Duties:</b>
Transcribes dictation involving legal terminology	Manage a child welfare services legal caseload in accordance with county, state, federal, and tribal compliance criteria and department policy.
Types various legal documents on word processors, including complaints, briefs, motions, agreements, resolutions, ordinances, opinions, subpoenas, contracts, extradition forms, information, indictments, jury instructions and verdicts	Conduct case file reviews using knowledge of general legal office protocol and management, including organizing and maintaining case files and documents, and determine appropriate course of action
Types letters, memos and reports from dictated notes, tapes, rough drafts, or oral instructions	Interpret laws and code, incorporating changes in law into daily practices and procedures; generate appropriate legal documents for the legal proceedings in compliance with local, state, federal, and tribal mandates
Types materials from straight or clean copy, inserting and deleting specific information	Make independent decisions based upon unique and complex cases by evaluating problems/issues and applying processes
Types standard forms	Provide direction to social workers and/or social worker supervisors regarding court procedures and protocols; explain child welfare services legal processes and procedures to social workers, supervisors, and other agencies; provide support to the social workers and/or supervisors by reviewing and editing documents for court
Transcribes civil or criminal legal forms from a dictating machine	Complete specialized investigation support; assist local social workers by locating parent(s)/relatives through diligent search efforts using multiple databases and technology sources; creating/filing diligent search reports; interview case participants and familial parties and obtain documentary evidence
Composes form letters	Access department and state computer-based information systems daily to monitor and maintain case management; input and/or update data daily to maintain current records and ensure appropriate record keeping for audits; access and

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

	utilize information from various agencies and computer-based systems for information	
Compiles and types simple and complex periodic reports	Complex interpretation of Indian Child Welfare Act (ICWA) and its application to specific cases and reporting processes	
Enters and deletes information on court calendars	Calendars matters for court	
Files legal documents with the County Clerk or with the court	May appear in court to testify	
Ensures timely processing and completion of documents in compliance with court rules and procedures	Complete other related work as directed and/or required	
Verifies accuracy of citations by comparing with legal reference books		
Places telephone calls to obtain or verify information, maintaining confidentiality regarding attorney-client communications		
Greets and assists the public		
Answering questions and explaining procedures		
May receive payments, prepare receipts for payment of fees, post payments to ledgers		
Gathers files and other information based on court calendars		
Sets up new case files		
Files and deletes supplements in code books		
Keeps abreast of legislation affecting legal procedures and county and special districts' organization		
Operates a variety of office automation equipment which may include word processors, microcomputers, on-line terminals, copiers, optical scanners, telecopiers and teletype equipment		
<b>Supervising Legal Clerk I</b>		<b>Social Services Legal Specialist III</b>
<b>Typical Tasks and Representative Duties</b>		<b>Typical Tasks and Representative Duties</b>
<b><i>In addition to tasks and duties of a Legal Clerk as outlined above:</i></b>	<b><i>In addition to tasks and duties of a Social Services Legal Specialist I/II as outlined above:</i></b>	
Assists in the training of new employees	Is the Lead Worker in this classification	
May supervise a staff of clerical workers engaged in preparation of legal documents and reports	Assists in training, mentoring and leading the Social Services Specialists I/II in this classification	
	May assist in the development and implementation of policies and procedures	
	May act in supervisor's absence as required	
<b>Administrative Assistant III</b>		
<b>Typical Tasks and Representative Duties</b>		
Performs varied clerical, technical, specialized or difficult administrative support work; may use database, word processing or spreadsheet software programs and other applications; reviews, analyzes and processes legal documents, property records, and forms; conducts transactions with the public and other employees requiring interpretation of laws, procedures, policies, and rules; may enter data directly into computer systems; may work on affidavits, registrations, nominating petitions, and campaign statements; may accept, review and process documentation filed for legal recordation; compiles, reviews or prepares and edits materials for reports, statements and records; may		

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

compose and present various statistical reports, correspondence and documents; answers inquiries relating to departmental or County policies and procedures; performs computations for fines, bills, vouchers and claims; may post and balance source documents to journals and ledgers; gathers data; prepared and/or transcribes a variety of reports within established guidelines; may transcribe from dictating equipment; performs reception and administrative support activities which include assisting customers to gain access to departmental services; answers telephones, screens and directs calls, and refers to appropriate individuals; and does other related work as assigned.

The position of Legal Clerk does not have a career series and thus, has no Distinguishing Characteristics that support a career series.

CURRENT POSITION CLASSIFICATION DISTINGUISHING CHARACTERISTICS / PROPOSED POSITION CLASSIFICATION DISTINGUISHING CHARACTERISTICS	
<b>Legal Clerk (No Career Series)</b>	<b>Social Services Legal Specialist I/II/III</b>
<b>Distinguishing Characteristics</b>	<b>Distinguishing Characteristics</b>
None	<p><b>Social Services Legal Specialist I:</b> Is the entry level position in the series. Incumbents work under close supervision, maintain a smaller caseload, and receive training while performing child welfare legal duties. While gaining knowledge and experience, they perform tasks less difficult and complex in nature and assist in performing more difficult and complex tasks. The <b>Social Services Legal Specialist I</b> is distinguished from the <b>Social Services Legal Specialist II</b> and <b>III</b> levels in that it operates with little independence.</p> <p><b>Social Services Legal Specialist II:</b> Is the journey-level position in the series. Incumbents, under direction, perform the full scope of the duties and maintain a general caseload independently. May be required to assist with orientation of new employees.</p>
<b>Supervising Legal Clerk I: (Not part of a career series)</b> (No distinguishing characteristics listed)	<p><b>Social Services Legal Specialist III:</b> Is the advanced-level position in the series. Incumbents work under general supervision and serve as a technical subject matter expert, train, mentor, and is the Lead Worker for junior staff. Independently performs and leads the most complex and specialized assignments and projects and has considerable latitude for independent judgment and action. Incumbents may assist in the development and implementation of policies and procedures.</p>
<b>Administrative Assistant III</b>	
<b>Distinguishing Characteristics</b>	
Incumbents, under general supervision, are expected to perform all of the expectations of an AA Aide, AAI, and AAI, plus, assist other staff with questions and assist the supervisor; may act in supervisor's absence as required; may be assigned limited technical and para-professional duties under direct supervision; may be assigned to clerk less complex meetings. This class is the advanced journey level Administrative Assistant level and is distinguished from the lower levels of the series by the requirement for increased job knowledge, proficiency, increased responsibility,	

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

initiative, and judgment; assignment may require performing lead worker responsibilities and/or training functions.

The Employment Standards for our unit differ from those provided in the classification of a Legal Clerk; although some standards may cross over.

CURRENT POSITION CLASSIFICATION	EMPLOYMENT STANDARDS / PROPOSED POSITION CLASSIFICATION	EMPLOYMENT STANDARDS
<b>Legal Clerk</b>		<b>Social Services Legal Specialist I/II</b>
<b>Knowledge of</b>		<b>Knowledge of</b>
Office practices and procedures		Professional standards for verbal and written communication
Proper telephone etiquette		Principles, methods, and techniques of effective case management
Alphabetical, numerical and chronological sequences used in filing		Knowledge and skill to use varied advanced level functions of Microsoft Word, Adobe Pro DC and state-wide CMS database, along with varied general functions of other office automation software, in a variety of situations
Correct spelling, grammar, punctuation and English usage		Alphabetical, numerical and chronological sequences used in filing
Legal procedures		Correct spelling, grammar, punctuation and English usage
Legal terminology		Knowledge and understanding of the rules and procedures related to legal pleadings and documents
Legal forms, including briefs, motions, opinions, resolutions, subpoenas, etc.		Knowledge of advanced legal terminology and concepts, jargon and abbreviations
Proper telephone procedures		Principles, methods, and techniques of effective interviewing
Basic Math		Legal forms specific to Child Welfare Services
		Basic mathematics
<b>Supervising Legal Clerk I</b>		<b>Social Services Legal Specialist III</b>
<b>Knowledge of</b>		<b>Knowledge of</b>
<i>In addition to the knowledge requirements for Legal Clerk noted above, the Supervising Legal I must have:</i>		<i>In addition to the knowledge requirements for Social Services Legal Specialist I/II noted above, the Social Services Legal Specialist III must have:</i>
Elements of supervision		Elements of Supervision
<b>Administrative Assistant III</b>		
<b>Knowledge of</b>		
Appropriate desk and telephone etiquette; basic oral and written communications skills; basic math; and basic keyboard techniques		
Modern office practices and procedures; correct English usage, grammar, punctuation and spelling; proper use of common office machines; automated office equipment; letter and report styles and formats; departmental organization; basic rules, regulations, policies and procedures in the assigned unit; the functions of specialized computer systems; performance standards for their assignment		
Complex or technical functions, laws, rules, regulations, policies and procedures relating to assigned unit		

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

<b>Legal Clerk</b>	<b>Social Services Legal Specialist I/II/III</b>
<b>Ability to:</b>	<b>Ability to:</b>
Learn departmental policies, procedures and organization	Research and effectively understand rules, regulations, directives and legislation
Perform clerical duties under pressure and with many interruptions	Uphold appropriate laws, codes, ordinances, regulations, policies, procedures, and guidelines
Perform basic arithmetic	Accurately, tactfully, clearly, and concisely convey complex laws, and procedures both verbally and in writing; present information effectively at meetings as required
Operate various office machines, including work processing equipment	Communicate and work effectively with others; using cooperation and collaboration to resolve routine workplace issues.
Meet the public with tact and courtesy	Develop techniques to successfully question, interview, and advise persons
Keep and maintain clerical records and prepare reports	Communicate effectively with others from diverse socioeconomic and cultural backgrounds
Read and comprehend material	Foster a spirit of teamwork and support when interacting with staff and others
Follow oral and written instructions	Remain calm and perform effectively during stressful situations
Establish and maintain effective working relationships	Handle multiple tasks and prioritize them to complete assignments
Type at least 50 net wpm	Operate a computer and assigned office equipment
Take dictation from tapes, drafts, orally	Organize and maintain work and records
Convey ideas in written form	Obtain and recognize relevant and significant facts
Organize and compile information into reports	Recognize changes in codes and procedural requirements that will affect rules and procedures as established in policies, procedures, and guidelines
Establish good public relations	Use judgment and initiative to select and apply the most appropriate guidelines and to make minor deviations in guidelines and processes to adapt to specific cases.
Operate a word processor and a variety of other office automation equipment	Learn and use new technology and/or programs
	Develop, establish and maintain cooperative working relationships with agency staff and outside agencies
	Work effectively amid interruptions
	Maintain confidentiality according to policies and guidelines
	Read and understand guides, manuals, and other materials related to the position
	Contribute to and help maintain the organization's mission and culture
	<b>In addition to the I, the Social Services Legal Specialist II:</b>
<ul style="list-style-type: none"> <li>• Research questions of law to support matters and may work on special reports and projects in conjunction with case management</li> <li>• Assist in the orientation of new employees</li> <li>• Assess issues, anticipate consequences, adapt new information to situations, involve appropriate parties, and develop options and strategies to resolve issues</li> <li>• Determine whether issues encountered have individual or limited impact and should be solved; or</li> </ul>	

RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

	<p>if the problem is broader in scope, could establish a precedent, or may have serious impact and should be referred to others</p> <ul style="list-style-type: none"> <li>• Differentiate between decisions the worker is empowered to make and those that should be referred to a higher level</li> </ul>
<p><b>Supervising Legal Clerk I</b></p>	<p><b>In addition to I &amp; II, the Social Services Legal Specialist III:</b></p>
<p><b>Ability to</b></p>	<ul style="list-style-type: none"> <li>• Model positive team behaviors and promote teamwork</li> </ul>
<p><i>In addition to the Legal Clerk</i> as noted above, will have the ability to:</p> <ul style="list-style-type: none"> <li>• Supervise and direct the activities of clerical staff assigned.</li> </ul>	<ul style="list-style-type: none"> <li>• Assist in planning, organizing and assigning work, while considering factors such as the processing requirements and the impact on the unit.</li> <li>• Assist in reviewing and updating of unit procedures and desk guides</li> <li>• Attend meetings as requested and/or needed</li> </ul>
<p><b>Administrative Assistant III</b></p>	
<p><b>Ability to:</b></p>	
<p>Learn to perform clerical functions such as typing, filing, distributing mail; follow oral and written instructions; deal with the public tactfully and courteously; establish and maintain effective working relationships</p>	
<p>Maintain a calm, professional demeanor; communicate effectively with others from diverse socioeconomic and cultural backgrounds; communicate verbally and in writing in a clear and professional manner; maintain accurate records; grasp new concepts and learn new tasks quickly; make basic mathematic calculations, properly utilize modern office equipment; make decisions regarding basic procedural matters without immediate supervision; understand complex rules and regulations and apply them in situations including those requiring the highest standards of confidentiality; prioritize multiple assignments to meet deadlines.</p>	
<p>Work independently with minimal supervision; recognize priorities and act with initiative; interpret and apply laws, rules, and written instructions in specific situations; keep complex records and/or statistics; analyze and make recommendations based on good judgment, standard practices, policies, and established procedures.</p>	
<p>Use independent decision making skills to analyze and resolve non-routine problems; participate in training new staff; based on assignment, act as a lead worker; assist other staff with questions.</p>	

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

THE BELOW EDUCATION AND EXPERIENCE WILL NEED TO BE REVIEWED AND MASSAGED BY COUNTY HR TO ENSURE THE CORRECT QUALIFICATIONS

CURRENT POSITION CLASSIFICATION	EDUCATION AND EXPERIENCE / PROPOSED POSITION CLASSIFICATION EDUCATION AND EXPERIENCE
<b>Legal Clerk</b>	<b>Social Services Legal Specialist I/II/III</b>
<b>Education and Experience</b>	<b>Education and Experience</b>
Either A: Two years of clerical experience in a legal office, court or criminal justice system;	A combination of education, training and experience which could provide the required knowledge and abilities listed. This may include:
Or B: One year of experience equivalent to an Administrative Assistant III	<b>Social Services Legal Specialist I:</b> Either A: Two years of experience in a legal office, court or criminal justice system, or comparable position at a child welfare services agency (possession of a paralegal certificate from an accredited institution will substitute for up to one year of the required experience); Or B: two years education in an accredited college or university with a major in Public Administration, Criminal Justice, Business Administration, Social Science or a closely related field.
	<b>Social Services Legal Specialist II:</b> Two years of experience as a <b>Social Services Legal Specialist I</b> or comparable position at a child welfare services agency (possession of a paralegal certificate from an accredited institution will substitute for up to one year of the required experience); or B: Graduation from an accredited four-year college or university with a degree in Public Administration, Business Administration, Criminal Justice, Social Science or a closely related field.
<b>Supervising Legal Clerk I:</b> <b>Either A:</b> Three years of clerical experience in a legal office, court or criminal justice system; <b>or B:</b> One year of experience equivalent to a Legal Clerk	<b>Social Services Legal Specialist III:</b> Two years of experience as <b>Social Services Legal Specialist II</b> with supervising training and/or experience, or comparable position at a child welfare services agency
<b>Administrative Assistant III</b>	
Graduation from high school or possession of a G.E.D. certificate at the time of employment. Possession of either a Certificate of Proficiency in secretarial, clerical, or library studies or possession of a paralegal certificate from an accredited institution will substitute for up to one year of the general clerical experience.	
<b>Either A:</b> One year of experience performing duties comparable to an Administrative Assistant II. <b>Or B:</b> Three years of experience performing a wide variety of clerical and administrative assistant duties including work-processing/computer experience	

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

The position that supervises the current Legal Clerks at the Department of Social Services is a Supervising Legal Clerk II, and again, the tasks and responsibilities of this position have also changed or evolved.

CURRENT POSITION CLASSIFICATION DEFINITIONS / PROPOSED POSITION CLASSIFICATION DEFINITIONS	
<b>Supervising Legal Clerk II</b>	<b>Supervising Social Services Legal Specialist</b>
<b>Definition:</b>	<b>Definition:</b>
Under direction, supervises the legal clerical staff of a department	Under general direction plans, organizes, trains, and directs subordinate staff engaged in the work of the County of San Luis Obispo, Department of Social Services/Child Welfare Services legal processing unit
Performs specialized clerical work of a legal nature where the majority of tasks are completed for attorneys, the courts or the criminal justice system	Conducts quality control of work to ensure compliance with county, state, and federal mandates
Provides administrative assistance to the department head; And does other related work as required.	At a professional level, collaborate with the San Luis Obispo County Juvenile Court, San Luis Obispo County Counsel, California State and County Departments, and out-of-state County and State Departments
	Is the Interstate Compact on the Placement of Children (ICPC) Liaison for the County of San Luis Obispo

CURRENT POSITION CLASSIFICATION TYPICAL TASKS AND REPRESENTATIVE DUTIES / PROPOSED POSITION CLASSIFICATION TYPICAL TASKS AND REPRESENTATIVE DUTIES	
<b>Supervising Legal Clerk II</b>	<b>Supervising Social Services Legal Specialist</b>
<b>Typical Tasks and Representative Duties</b>	<b>Typical Tasks and Representative Duties</b>
Coordinates and supervises the work of a clerical staff	Provides supervision, direction, training, and development for subordinates
Plans and organizes workload and assignments	Liaison for the County of San Luis Obispo for the Interstate Compact on the Placement of Children (ICPC)
Coordinates payroll and personnel transactions	Serve as a technical resource/subject matter expert for department staff
Attends meetings with departmental staff and other departments and agencies;	Serve as liaison for the unit with the Juvenile Court
Maintains a working knowledge of the various systems and procedures in the department	Review difficult cases and recommend appropriate action
May assist in the preparation of the departmental budget	Research, analyze, create, organize, revise, edit, and assist in the development of technical documentation, forms, procedures, and guides for department and/or unit use
Keeps abreast of legislation affecting legal procedures and county and special districts' organization;	Represent the department/unit in department, multi-agency, state-wide, or nation-wide committees and workgroups; may include coordinating and providing training
Implements new office procedures when necessary	Conduct quality control of subordinate work to ensure compliance with local, state, and federal mandates
Trains and evaluates employees	Complete performance evaluations for subordinate staff
Provides assistance to the administrative staff of the department	Collaborate with other supervisors in coordinating the activities of professional and technical staff
Gathers information and compiles reports, maintaining confidentiality regarding attorney-client communications	Gather data and produce detailed oral, written and/or statistical reports
Checks legal references for correct citations	Prepare reports relating to activities of team
Prepares recommendations for solving various problems	Receive and prepare correspondence

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

Maintains familiarity with the office equipment in the department	May be required to testify in court
May be required to operate or may supervisor those who operate automated office equipment, including word processors, personal computers, data processing equipment, facsimile, electronic copiers, printers, adding machines, calculators and other modern office equipment	
Estimates supply and equipment requirements and maintains inventory of all supplies	

CURRENT POSITION CLASSIFICATION EMPLOYMENT STANDARDS / PROPOSED POSITION CLASSIFICATION EMPLOYMENT STANDARDS	
<b>Supervising Legal Clerk II</b>	<b>Supervising Social Services Legal Specialist</b>
<b>Knowledge of</b>	<b>Knowledge of</b>
Legal procedures	Principles of leadership and supervision, training and instructional methods and techniques
Legal terminology	Functions and procedures of child welfare services
Procedures and practices of local, state and federal courts	Principles, methods, and techniques of effective case management
Correct English usage, spelling, grammar, and punctuation	Professional standards for verbal and written communication
Automated office equipment	Advanced personal computer usage and common software, including word processing, spreadsheet, calendar and email
Legal formats including briefs, motions, opinions, resolutions, subpoenas, etc.	Report writing techniques
Proper telephone procedures	Legal procedures and legal terminology
Basic math and budgeting principles	Procedures and practices of local Juvenile Court
Elements of supervision and training	Working knowledge of the Interstate Compact on the Placement of Children (ICPC)
Record keeping systems	Working knowledge of the Indian Child Welfare Act (ICWA)
Correspondence and report styles and formats	Basic mathematics including fractions and percentages
<b>Ability to:</b>	<b>Ability to:</b>
Perform highly complex and difficult legal clerical work requiring considerable independent judgment	Train and develop staff
Convey ideas in written form	Plan, assign and supervise the work of others
Organize and compile information into reports	Prioritize work of themselves and others to meet critical deadlines
Learn to operate automated office equipment	Research and understand rules, regulations, directives and legislation
Establish good public relations	Use sound judgment in applying appropriate laws, codes, ordinances, regulations, policies, procedures, and guidelines
Operate a word processor and a variety of other office automation equipment	Accurately, tactfully, clearly, and concisely convey complex laws and procedures both verbally and in writing; present information effectively at meetings
Supervise and direct the activities of one or more sections of the clerical staff of the department	Compose correspondence and prepare legal documents accurately and clearly
Perform basic arithmetical calculations	Successfully question, interview, counsel and advise persons; obtain and recognize relevant and significant facts
Understand, interpret and apply laws and rules	Establish and maintain cooperative working relationships with community groups, resource agencies, fellow

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

	employees and the general public; foster a spirit of teamwork and support when interacting with staff and others
Maintain effective working relationships	Work independently and in a cooperative manner; take initiative to get things done
	Develop and implement processes and procedures
	Analyze a situation accurately and adopt an effective course of action using sound judgment
	Display professional demeanor and perform effectively in difficult or emotional situations
	Maintain confidentiality
	Knowledge and skill to use varied advanced level functions of Microsoft Word, Adobe Pro DC and state-wide CMS database, along with varied general functions of other office automation software, in a variety of situations
	Actively support, contribute to and maintain the organization's mission and culture.

CURRENT POSITION CLASSIFICATION EDUCATION AND EXPERIENCE / PROPOSED POSITION CLASSIFICATION EDUCATION AND EXPERIENCE	
<b>Supervising Legal Clerk II</b>	<b>Supervising Social Services Legal Specialist</b>
<b>Education and Experience</b>	<b>Education and Experience</b>
Either A: Four years of clerical experience in a legal office, court or criminal justice system;	A combination of education, training and experience which could provide the required knowledge and abilities listed. This may include:
Or B: One year of experience equivalent to an Supervising Legal Clerk I	Either A: 12 months of experience as a <b>Social Services Legal Specialist III</b> with the Department of Social Services/Child Welfare Services or comparable child welfare services agency with supervisor training and/or experience
	B: Four years of experience as a <b>Social Services Legal Specialist I/II</b> with the Department of Social Services/Child Welfare Services or comparable child welfare services agency with supervisor training and/or experience

It is requested that there be a change in the probationary period from 6 months to 12 months for this classification/career series to ensure proper training and good fit for the unit.

Please note the legal clerks at Child Support were approved and reclassified as Child Support Specialists in May 2019. The tasks and duties completed by this unit more accurately match the tasks and duties of the Child Support Specialist career series and thus we are seeking a reclassification to either match that classification code or create one similar to that classification code.

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

DENOTES SALARY COMPARISONS FROM CURRENT POSITION TO PROPOSED POSITION			
<b>Legal Clerk (no career series)</b>		<b>Social Services Legal Specialist I (Career Series)</b>	
Hourly	22.54 – 27.39	Hourly	22.90 – 27.84
Monthly	3,906.93 – 4,747.60	Monthly	3,969.33 – 4,825.60
Annually	46,883.20 – 56,971.20	Annually	47,643.00 – 57,907.20
		<b>Social Services Legal Specialist II (Career Series)</b>	
		Hourly	25.21 – 30.64
		Monthly	4,369.73 – 5,310.93
		Annually	52,436.80 – 63,731.20
<b>Supervising Legal Clerk I</b>		<b>Social Services Legal Specialist III (Career Series)</b>	
Hourly	24.32 – 29.57 (3.42 – 4.16)*	Hourly	27.74 – 33.73
Monthly	4,215.47 – 5,125.47 (592.80 – 721.06)*	Monthly	4,808.27 – 5,846.53
Annually	50,585.60 – 61,505.60 (7,113.60 – 8,652.80)*	Annually	57,699.20 – 70,158.40
<b>Supervising Legal Clerk II</b>		<b>Supervising Social Services Legal Specialist</b>	
Hourly	26.41 – 32.11 (5.48 – 6.65)*	Hourly	31.89 – 38.76
Monthly	4,577.73 – 5,565.73 (949.87 – 1,152.67)*	Monthly	5,527.60 – 6,718.40
Annually	54,932.80 – 66,788.80 (11,398.40 – 13,832.00)*	Annually	66,331.20 – 80,620.80
<b>Administrative Assistant III</b>		<b>Social Services Legal Specialist II (Career Series)</b>	
Hourly	20.30 – 24.69 (4.91 – 5.95)*	Hourly	25.21 – 30.64
Monthly	3,518.67 – 4,279.60 (851.06 – 1,013.33)*	Monthly	4,369.73 – 5,310.93
Annually	42,224.00 – 51,355.20 (10,212.80 – 12,376.00)*	Annually	52,436.80 – 63,731.20

DENOTES THE CURRENT POSITIONS AND PROPOSED POSITIONS			
<b>Position</b>		<b>Position</b>	
<b>Legal Clerk (new hire)</b>		<b>Social Services Legal Specialist I (Career Series)</b>	
Hourly	22.54 – 27.39 (2.67 – 3.25)*	Hourly	22.90 – 27.84
Monthly	3,906.93 – 4,747.60 (462.80 – 563.33)*	Monthly	3,969.33 – 4,825.60
Annually	46,883.20 – 56,971.20 (5,553.60 – 6,760.00)*	Annually	47,643.00 – 57,907.20
<b>Administrative Assistant (only existing/current position assigned as ICWA AA)</b>		<b>Social Services Legal Specialist II (Career Series)</b>	
Hourly	20.30 – 24.69 (4.91 – 5.95)*	Hourly	25.21 – 30.64
Monthly	3,518.67 – 4,279.60 (851.06 – 1,013.33)*	Monthly	4,369.73 – 5,310.93
Annually	34,132.80 – 50,336.00 (18,304.00 – 13,395.20)*	Annually	52,436.80 – 63,731.20
<b>Legal Clerk (existing at Step 5)</b>		<b>Social Services Legal Specialist II (Career Series)</b>	
Hourly	22.54 – 27.39 (2.67 – 3.25)*	Hourly	25.21 – 30.64
Monthly	3,906.93 – 4,747.60 (462.80 – 563.33)*	Monthly	4,369.73 – 5,310.93
Annually	46,883.20 – 56,971.20 (5,553.60 – 6,760.00)*	Annually	52,436.80 – 63,731.20
<b>Supervising Legal Clerk I</b>		<b>Social Services Legal Specialist III (Career Series)</b>	
Hourly	24.32 – 29.57 (3.42 – 4.16)*	Hourly	27.74 – 33.73
Monthly	4,215.47 – 5,125.47 (592.80 – 721.06)*	Monthly	4,808.27 – 5,846.53
Annually	50,585.60 – 61,505.60 (7,113.60 – 8,652.80)*	Annually	57,699.20 – 70,158.40
<b>Supervising Legal Clerk II</b>		<b>Supervising Social Services Legal Specialist</b>	
Hourly	26.41 – 32.11 (5.48 – 6.65)*	Hourly	31.89 – 38.76
Monthly	4,577.73 – 5,565.73 (949.87 – 1,152.67)*	Monthly	5,527.60 – 6,718.40
Annually	54,932.80 – 66,788.80 (11,398.40 – 13,832.00)*	Annually	66,331.20 – 80,620.80

## RECLASSIFICATION OF POSITIONS WITHIN LEGAL PROCESSING

There is currently a position of ICWA Administrative Assistant III that needs to be reclassified to match peers in the unit, based on experience and the knowledge base of assignment.

DENOTES CURRENT ALLOCATIONS AND PROPOSED ALLOCATIONS / PROPOSED STEPS FOR POSITIONS / HOURLY, MONTHLY SALARY CHANGES / DOES NOT INCLUDE BENEFIT OR RETIREMENT INCREASES OR OTHER CHANGES THAT MAY APPLY					
# Current Positions / Allocations			# Proposed Positions / Allocations		
1	Administrative Assistant III (Step 5)	24.20 (1.01)* 4279.60 (90.13)*	1	Social Services Legal Specialist II (Step 1)	25.21 4369.73
2	Legal Clerks (Step 5)	27.39 (1.79)* 4747.60 (307.27)*	2	Social Services Legal Specialist II (Step 4)	29.18 5057.87
3	Legal Clerks (Step 1)	22.54 (.36)* 3906.93 (62.40)*	3	Social Services Legal Specialist I (Step 1)	22.90 3969.33
1	Supervising Legal Clerk I (Step 5)	29.57 (1.02)* 5125.47 (176.80)*	1	Social Services Legal Specialist III (Step 3)	30.59 5302.27
1	Supervising Legal Clerk II (Step 5)	32.11 (1.37)* 5565.73 (237.47)*	1	Supervising Social Services Legal Specialist (Step 2)	33.48 5803.20

\*Denotes difference in pay scale

<b>Typical Tasks and Responsibilities of Proposed Social Services Legal Specialist I/II/III</b>	<b>Comparison to Current Legal Clerk Typical Tasks</b>
<ul style="list-style-type: none"> <li>• Manage a child welfare services legal caseload in accordance with county, state, federal, and tribal compliance criteria, and department policy.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensures timely processing and completion of documents in compliance with court rules and procedures</li> <li>• Verifies accuracy of citations by comparing with legal reference books</li> <li>• Keeps abreast of legislation affecting legal procedures and county and special districts' organization</li> </ul>
<ul style="list-style-type: none"> <li>• Conduct case file reviews using knowledge of general legal office protocol and management, including organizing and maintaining case files and documents, and determine appropriate course of action</li> </ul>	<ul style="list-style-type: none"> <li>• Compiles and types simple and complex periodic reports</li> <li>• Ensures timely processing and completion of documents in compliance with court rules and procedures</li> <li>• Places telephone calls to obtain or verify information, maintaining confidentiality regarding attorney-client communications</li> <li>• Gathers files and other information based on court calendars</li> <li>• Sets up new case files</li> <li>• Keeps abreast of legislation affecting legal procedures and county and special districts' organization</li> <li>• Operates a variety of office automation equipment which may include word processors, microcomputers, on-line terminals, copiers, optical scanners, telecopiers and teletype equipment</li> </ul>
<ul style="list-style-type: none"> <li>• Interpret laws and code, incorporating changes in law into daily practices and procedures; generate appropriate legal documents for the legal proceedings in compliance with local, state, federal, and tribal mandates</li> </ul>	<ul style="list-style-type: none"> <li>• Transcribes dictation involving legal terminology</li> <li>• Types various legal documents on word processors, including complaints, briefs, motions, agreements, resolutions, ordinances, opinions, subpoenas, contracts, extradition forms, information, indictments, jury instructions, and verdicts</li> <li>• Types letters, memos, and reports from dictated notes, tapes, rough drafts, or oral instructions</li> <li>• Types materials from straight or clean copy, inserting and deleting specific information</li> <li>• Types standard forms</li> <li>• Transcribes civil or criminal legal forms from a dictating machine</li> <li>• Composes form letters</li> <li>• Compiles and types simple and complex periodic reports</li> <li>• Enters and deletes information on court calendars</li> <li>• Files legal documents with the County Clerk or with the court</li> <li>• Ensures timely processing and completion of documents in compliance with court rules and procedures</li> <li>• Verifies accuracy of citations by comparing with legal reference books</li> <li>• Keeps abreast of legislation affecting legal procedures and county and special districts' organization</li> </ul>

Typical Tasks and Responsibilities of Proposed Social Services Legal Specialist I/II/III	Comparison to Current Legal Clerk Typical Tasks
<ul style="list-style-type: none"> <li>• Make independent decisions based upon unique and complex cases by evaluating problems/issues and applying processes</li> </ul>	<ul style="list-style-type: none"> <li>• Ensures timely processing and completion of documents in compliance with court rules and procedures</li> <li>• Keeps abreast of legislation affecting legal procedures and county and special districts' organization</li> </ul>
<ul style="list-style-type: none"> <li>• Provide direction to social workers and/or social worker supervisors regarding court procedures and protocols; explain child welfare services legal processes and procedures to social workers, supervisors, and other agencies; provide support to the social workers and/or supervisors by reviewing and editing documents for court</li> </ul>	<ul style="list-style-type: none"> <li>• Answering questions and explaining procedures</li> <li>• Keeps abreast of legislation affecting legal procedures and county and special districts' organization</li> </ul>
<ul style="list-style-type: none"> <li>• Complete specialized investigation support; assist local social workers by locating parent(s)/relatives through diligent search efforts using multiple databases and technology sources; creating/filing diligent search reports; interview case participants and familial parties and obtain documentary evidence</li> </ul>	<ul style="list-style-type: none"> <li>• Types various legal documents on word processors, including complaints, briefs, motions, agreements, resolutions, ordinances, opinions, subpoenas, contracts, extradition forms, information, indictments, jury instructions, and verdicts</li> <li>• Types letters, memos, and reports from dictated notes, tapes, rough drafts, or oral instructions</li> <li>• Compiles and types simple and complex periodic reports</li> <li>• Places telephone calls to obtain or verify information, maintaining confidentiality regarding attorney-client communications</li> <li>• Gathers files and other information based on court calendars</li> </ul>
<ul style="list-style-type: none"> <li>• Access department and state computer-based information systems daily to monitor and maintain case management; input and/or update data daily to maintain current records and ensure appropriate record keeping for audits; access and utilize information from various agencies and computer-based systems for information</li> </ul>	<ul style="list-style-type: none"> <li>• Gathers files and other information based on court calendars</li> <li>• Operates a variety of office automation equipment which may include word processors, microcomputers, on-line terminals, copiers, optical scanners, telecopiers and teletype equipment</li> </ul>
<ul style="list-style-type: none"> <li>• Complex interpretation of Indian Child Welfare Act (ICWA) and its application to specific cases and reporting processes</li> </ul>	<ul style="list-style-type: none"> <li>• Keeps abreast of legislation affecting legal procedures and county and special districts' organization</li> </ul>
<ul style="list-style-type: none"> <li>• Calendars matters for court</li> </ul>	<ul style="list-style-type: none"> <li>• Enters and deletes information on court calendars</li> </ul>
<ul style="list-style-type: none"> <li>• May appear in court to testify</li> </ul>	<ul style="list-style-type: none"> <li>• This is not specified in the current legal clerk specification, but any County employee can and may be called to testify in relation duties performed on the job on behalf of the County. Although not specified in the current Legal Clerk specification, this is also not in conflict with the specification</li> </ul>
<ul style="list-style-type: none"> <li>• Complete other related work as directed and/or required</li> </ul>	<ul style="list-style-type: none"> <li>• This is a typical catch all duty that can and most likely will be added to the new Legal Clerk classification specification</li> </ul>



# **Legal Clerks in the Department of Social Services**

## **Review of Classification Determination**

4a.033

# Table of Contents

- Background
  - Rule 5
  - Summary of September 27, 2023, CSC meeting
- Discussion
  - Description of HR's Studies of the Legal Clerk Classifications
  - Responses to Public Comments
  - Review of Appeal Process
- Results

4a.034



# Background

## ***CSC Rule 5 - Process for Creating, Revising, and Abolishing Classifications***

- The intent of class specifications
- HR's responsibility to conduct position studies
- The appeal process for employees or appointing authorities

4a.035



# Background

Attachment D

## ***September 27, 2023, CSC meeting: Summary of the Item, Discussion, and Actions Taken by the Commission***

- The Commission approved HR's recommendations
  - Updated content and language
  - Creation of a new Legal Clerk I/II/III classification series (formerly one level)
  - Creation of a single Supervising Legal Clerk classification (formerly two levels)
- Public comment from DSS management, employees, and SLOCEA regarding classification concerns
- Commission directed HR to add an agenda item to a subsequent meeting to consider directing HR to restudy the Legal Clerk positions in DSS

4a.036



# Background

Attachment D

## ***September 27, 2023, CSC meeting: Impromptu Appeal of the DSS Legal Clerk Classification Determination***

- SLOCEA, DSS Director and DSS Legal Clerks stated:
  - Legal Clerks in DSS are unique:
    - Do not have the oversight of an attorney
    - Operate at a higher level of independence
    - Function as “case managers”
    - Are comparable to Child Support Specialists
    - Are exposed to disturbing or distressing information or materials
  - Study was limited to two 15-minute interviews
- The information shared in public comment is typically shared in the appeal process
- HR is taking this opportunity to fully describe its study of DSS’s classifications and positions

4a.037



# Discussion

## ***HR Conducted a Thorough Study of the Legal Clerk Positions within DSS***

- Legal Clerks are in seven different County departments
- Prior to DSS's request for a study, HR had been made aware of the need to study the County-wide classifications by other departments
- HR felt it was important to do a thorough study on DSS's request to determine if department-specific classifications were warranted before considering County-wide changes

4a.038



# Discussion

## ***HR Conducted a Thorough Study of the Legal Clerk Positions within DSS***

- Components of the Study
  - Evaluation of the documentation provided by DSS
  - Interviews with DSS Legal Clerks
  - Multiple meetings with the Director and Deputy Director of DSS
  - Market analysis
  - Consideration of impacts on other County departments
- Results of the Study
  - Duties of DSS's proposed classes fit within the existing Legal Clerk classes
  - HR agreed there was a need to revise the Legal Clerk classifications, and those revisions could address most of DSS's underlying concerns

4a.039



# Discussion

## *Response to September 27, 2023, Public Comments*

- Public Comment themes from employees and SLOCEA about Legal Clerks:
  - Lack of attorney oversight
  - Operate at a higher level of independence
  - Function as “case managers”
  - Comparable to Child Support Specialists
  - Exposed to especially disturbing or distressing information and materials

4a.040



# Discussion

## *HR Worked with All Effected Departments*

- This process took several months
- Each department provided feedback used in the development of the new classifications
- DSS management met with HR multiple times during this process and provided specific language suggestions that were incorporated
- HR believed it had the support of all County departments when they proceeded with the changes that were approved on September 27, 2023

4a.041



## ***HR Staff Spent a Significant Amount of Time Working with Departments and Studying the Legal Clerk Specifications***

- Entire process took approximately 174 hours of HR staff time
- 102 of those hours spent specifically on DSS's request
- These time estimates include:
  - Meetings with department management
  - Meetings with employees
  - Analysis and research
  - Developing job specification language and determination memos
  - Preparation for September 27, 2023, CSC meeting

4a.042



# Discussion

## ***Appeal Rights of HR's Classification Determination were not Exercised Pursuant to Civil Service Rules 5.06 and 4.04***

- An appeal would have been the appropriate venue to challenge HR's classification determinations
- Neither DSS or other County departments submitted an appeal
  - DSS had an opportunity to appeal within ten business days of HR's March 28, 2023, determination
  - DSS and all other departments could have appealed HR's determination to create a new Legal Clerk I/II/III classification series within ten days of June 28, 2023

4a.043



## ***Maintaining Generic Classifications is Beneficial to the County***

- Generic classifications are beneficial to employees and County operations
  - Provides opportunities for employees to move between departments
  - Allows for knowledge transfer between departments
  - Maintains internal pay equity
- Unique classifications typically necessary when
  - Substantially different duties, responsibilities, and qualifications
  - Functions are specific to a single department
  - Consistent with market analysis
- Beneficial and best practice for an organization to maintain a single classification when duties, responsibilities, and qualifications are substantially similar

4a.044



# Results

- HR maintains that shared Legal Clerk classifications for all departments is the proper approach
- The new classifications address the key concerns presented by DSS Legal Clerks, SLOCEA, and DSS management
  - Additional advanced level classification for employees
  - Additional career growth opportunities
- Creation of DSS specific classifications would be a departure from current classification philosophy

4a.045



# Questions & Answers

4a.046

