



STATE OF CALIFORNIA

ASSISTANT CHIEF COUNSEL

DEPARTMENTAL PROMOTIONAL EXAMINATION

Location: Sacramento

Final Filing Date: February 17, 2016

MISSION STATEMENT

Mission of the Franchise Tax Board: Our mission is to provide the services and information to help taxpayers file accurate and timely tax returns and pay the proper amount owed. To accomplish this mission, we develop knowledgeable and engaged employees, administer and enforce the law with fairness and integrity, and responsibly manage the resources allocated to us.

EEO

An equal opportunity employer to all regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, religious or political affiliation, age, or sexual orientation.

DRUG FREE STATEMENT

It is an objective of the state of California to achieve a drug-free state work place. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the state, the rules governing civil service and the special trust placed in public servants.

WHO SHOULD APPLY?

Applicants who meet the minimum qualifications as stated below may apply for this examination. All applicants must meet the education and/or experience requirements as stated on this examination announcement.

This is a promotional examination for Franchise Tax Board (FTB). In order to take this examination:

1. Applicant must have a permanent civil service appointment without a break in service, with the Franchise Tax Board, by the final filing date; **or**
2. Applicant must be a current or former employee of the Legislature for two or more years as defined in Government Code Section 18990; **or**
3. Applicant must be a current or former non-elected exempt employee of the Executive Branch for two or more consecutive years as defined in Government Code Section 18992; **or**
4. Applicant must be a person retired from the United States Military, honorable discharged from active duty with a service-connected disability; or honorably discharged from active duty as defined in Government Code Section 18991. **Veterans must provide a copy of their DD214 for entrance requirements.** Please attach your DD214 to your application. **Veterans' preference will not be granted in promotional examinations.**

For applicants under items 2, 3, or 4, if promotional examinations are given by more than one department for the same

classification, the applicant must select one department in which to compete. Refer to the General Information, Promotional Examinations Only section of this bulletin for other eligibility requirements. Under certain circumstances, former FTB employees may be allowed to compete under the provisions of Rule 235.

FILING INSTRUCTIONS

FINAL FILING DATE TO SUBMIT AN APPLICATION: February 17, 2016

Applications (STD. 678) are available at CalHR's website www.jobs.ca.gov or FTB's website at www.ftb.ca.gov.

Applications can be filed either:

In Person:

Franchise Tax Board
9646 Butterfield Way
Sacramento Bldg., Exam/Certification Unit
Sacramento, CA 95827

By Mail:

Franchise Tax Board
ATTN: Exam/Certification Unit
P.O. Box 550
Sacramento, CA 95812-0550

APPLICATIONS MUST CONTAIN ORIGINAL SIGNATURES AND MUST BE SUBMITTED TO THE ADDRESS INDICATED ABOVE.

Applications (STD.678) must be **POSTMARKED** no later than the final filing date. Applications postmarked, personally delivered, or received via interoffice mail after the final filing date will not be accepted.

NOTE: TO TAKE THIS EXAMINATION, YOU MUST PROVIDE AN EMAIL ADDRESS ON YOUR APPLICATION. The Qualification Assessment (QA) exam link will be sent to the email address you provide. All examination notifications (except the QA link) will be sent by mail.

SPECIAL TESTING ARRANGEMENTS

If you have a disability and need special assistance or special testing arrangements, contact Franchise Tax Board (FTB), Examination/Certification Unit at (916)845-3608, or via the California Relay Service for the Deaf or Hard of Hearing at (800)735-2929 from TTY phones and (800) 735-2922 from voice phones.

Additionally, please select the "Reasonable Accommodations" box when filling out the application.

SALARY

\$9,337 - \$10,815

A pay differential which provides ACCs, who meet the criteria in the differential (generally reviewing the work in a complex area of law that necessitates attorneys at the TC IV level or supervising more than 40 attorneys), to be entitled to a 9.61% increase in pay over the pay scale for the ACC position. The current maximum monthly salary for ACCs with the differential is \$11,854.

ELIGIBLE LIST INFORMATION

A departmental, promotional merged list will be established for the Franchise Tax Board. The names of successful competitors will be merged onto the eligible list in order of final scores regardless of test date. List eligibility will expire 12 months after it is established. Competitors will be able to retake the exam (Qualifications Assessment) after 9 months to reestablish list eligibility.

NOTE: In order to maintain list eligibility, competitors must participate in the current exam administration.

REQUIREMENTS FOR ADMITTANCE TO THE EXAMINATION

NOTE: All applicants must meet the education and/or experience requirements as stated on this examination bulletin by the final filing date. Your signature on your application indicates that you have read, understood, and possess the qualifications required.

Applications/resumes **MUST** contain the following information: "to" and "from" dates (month/day/year), time base, civil service class title(s), and range, if applicable. College course information **MUST** include: title, semester or quarter credits, name of institution, completion dates, and degree (if applicable).

Applications/resumes received without this information may be rejected.

NOTE: It is especially important that each applicant take special care to accurately and completely fill out their application. List all experience relevant to the "Minimum Qualifications" shown on this announcement.

MINIMUM QUALIFICATIONS

Membership in the State Bar of California. (Applications must have active membership in the State Bar before they will be eligible for appointment.) **AND**

Either I

Two years of experience in the California state service performing legal duties* at a level of responsibility equivalent to Staff Counsel, Range D. (Applicants who have completed 18 months of the required experience will be admitted to the examination, but must complete two years of such experience before they will be eligible for appointment.)

Or II

Broad and extensive experience (more than five years) in the practice of law*. (Experience in California state service applied toward this requirement must include the same number of years of qualifying experience as required in Pattern I above performing the duties of a class at a level of responsibility equivalent to that described in Pattern I.)

***Experience in the "practice of law" or "performing legal duties" is defined as only that legal experience acquired after admission to the Bar.**

PROOF OF EDUCATION

Applicants using education to meet the minimum requirements must provide a copy of their diploma, official/unofficial transcript, statement and/or evaluation from an accredited U.S. college or university with their examination application. If an applicant is not able to provide proof of education from a recognized institution at the time of hire,

their name may be removed from the eligible list(s).

FOREIGN DEGREES

Applicants with foreign transcripts must provide an official/unofficial foreign transcript evaluation that indicates the number of units that his/her foreign course work is equivalent to. FTB accepts foreign transcript evaluations that are completed by one of the agencies approved by the California Commission on Teachers Credentialing. Agencies accredited by the Commission for Foreign Transcription Evaluation may be found on the Commission's website: www.ctc.ca.gov.

NOTE: All documents submitted become the property of the FTB. Do not submit original diplomas with the examination application.

POSITION DESCRIPTION

The Assistant Chief Counsel, under the direction of a Chief Counsel II, CEA, plans, organizes, directs, coordinates, and reviews the work of a major legal section of a large legal office. The Assistant Chief Counsel acts as legal advisor to top management; prepares legislation and represents the department before the Legislature; formulates legal policy; and participates as a member of top management in the development and implementation of department policy.

Positions exist in Sacramento

EXAMINATION INFORMATION

Qualifications Assessment -- Weighted 100%

This examination will consist of a Qualifications Assessment weighted 100%. Candidates must attain an overall minimum score of 70% in order to be placed on the eligible list.

CANDIDATES WHO DO NOT COMPLETE OR SUBMIT THE QUALIFICATIONS ASSESSMENT BY THE DUE DATE WILL BE DISQUALIFIED.

NOTE: If conditions warrant, this examination may utilize an evaluation of each candidate's experience and education compared to a standard developed from the class specification. For this reason, it is especially important that candidates take special care in accurately and completely filling out their application. List all experience relevant to the "Requirements for Admittance to the Examination" shown on this announcement.

SELECTION PLAN

It is anticipated that candidates who meet the minimum qualifications for this examination will be sent an email the **week of March 21, 2016**, which will contain the instructions and the link to complete the online Qualifications Assessment (QA) examination. **It is the candidate's responsibility to read the letter that is enclosed with their acceptance notice which provides specific instructions/dates about the QA link. It is also the candidate's responsibility to contact Franchise Tax Board's Examination/Cert Unit at (916) 845-3608 if they have not received the QA link. By the date indicated on the letter.**

SCOPE OF EXAMINATION

Candidates should be prepared to answer pre-determined, job-related questions identified under the Knowledge, Skills, Abilities, and Personal Characteristics.

KNOWLEDGE, SKILLS, ABILITIES, AND PERSONAL CHARACTERISTICS

Knowledge of:

1. Relevant substantive areas of law that apply to the department and other public entities (e.g., tax, due process, privacy, record disclosure laws).
2. How to conduct legal analysis (e.g., issue-spotting, rule analysis, applying law to facts) to ensure relevant issues and information are identified and correlated with applicable law, and to aid in predicting the legal outcome.
3. Available research sources, both printed and electronic, to complete legal research, including what types of material they contain, where they are located, and their breadth, depth; and relative strengths and weaknesses (e.g., primary legal texts, secondary legal texts, and electronic databases).
4. Legal, contractual and/or individual agency requirements regarding information security or confidentiality.
5. General principles of jurisprudence such as rules of statutory construction and stare decision.
6. Proper spelling, grammar, punctuation, and sentence structure to ensure that written materials prepared and reviewed are complete, and free of errors.
7. Principles associated with the attorney client relationship, especially as they apply to organizations and public entities.
8. Professional ethical rules as they relate to the practice of law and particularly the role of public attorneys.
9. A manager's responsibility for promoting equal opportunity in hiring, employee development, promotion, and for maintaining a work environment that is free of discrimination and harassment.

Skill to:

1. Professionally communicate one's views and opinions on work issues even when they may be different from those expressed by others.
2. Review and edit the work of others to meet established departmental quality standards.
3. Take initiative and be pro-active in identifying potential legal issues and adapting solution strategies that prevent problems from occurring.
4. Listen to others to facilitate an open exchange of ideas and provide for effective communication.
5. Make efficient use of one's time.

Ability to:

1. Be ethical, truthful, use sound judgment and act in a manner that maintains the integrity and credibility of the Franchise Tax Board.
2. Exercise sound judgment in decision making.
3. Identify and apply relevant substantive areas of law that apply to the department and other public entities (e.g., tax, due process, privacy, record disclosure laws).
4. Read and comprehend legal documents (e.g., contracts, statutes, regulations, legal rulings, case law).
5. Be accountable for actions taken.
6. Demonstrate good work habits and be a positive role model to staff.
7. Lead and/or manage complex and sensitive cases or matters.
8. Review and/or finalize work products produced by clients, para-professionals, and/or other attorneys.
9. Work on complex and sensitive cases and matters.

10. Maintain confidentiality and exercise discretion in the dissemination of information.
11. Provide a workplace that is free from discrimination or harassment and embrace workforce diversity.
12. Quickly integrate new issues and information with existing knowledge to formulate conclusions.
13. Work quickly in order to complete "rush" or urgent projects without prior notice and with a quick turnaround.
14. Analyze and respond to legal arguments.
15. Communicate effectively in writing in a courteous, professional manner with a variety of individuals taking into consideration their needs and using tone, vocabulary, format, and grammar appropriate to the circumstance.
16. Perform job tasks during stressful working conditions (e.g., tight deadlines, heavy workload, etc.).
17. Treat others with respect, courtesy, and tact.
18. Express facts, ideas, and legal arguments in succinct, organized, and accurate reports, correspondence or other job related documents (e.g., legal opinions and arguments, statutory proposals, proposed regulations, requests for discovery, responses to discovery requests, position papers, correspondence, etc.).
19. Orally communicate legal principles, facts, and position(s) to various audiences and forums.
20. Orally communicate information effectively, convincingly, and accurately.
21. To address necessary details in order to perform work in an accurate, complete and thorough manner.
22. Provide consultation to multiple requestors on legal issues or matters.
23. Edit written documents for accuracy and effectiveness.
24. Interact with and relate effectively to individuals at all levels of an organization.
25. Maintain a neutral, unbiased stance when evaluating legal matters and make recommendations without allowing personal views or external pressures to improperly interfere.
26. Properly identify legal and procedural issues in assigned matters.
27. Analyze information to detect potential logical, legal, and/or factual flaws in arguments or assumptions.
28. Be flexible and handle unexpected developments such as administrative obstacles and external events that impact current work assignments.
29. Read and comprehend a variety of difficult materials such as local, state, and federal law; critical analyses; dissertations; position papers; technical treatises, etc.
30. Work collaboratively with others in a team environment.
31. Successfully assist with or complete multiple projects within appropriate time frames while maintaining a high level of work performance.
32. Summarize relevant facts in order to capture the key points and implications.
33. Be fair, flexible, and open to staff ideas and input in the decision making process.
34. Generate and implement solutions to successfully address the issues in assigned matters.
35. Identify organizational problem areas and work with other FTB managers, supervisors and staff to resolve them.
36. Identify and prioritize critical issues to effectively allocate resources to resolve the question or matter.
37. To work cooperatively with other FTB managers and supervisors to achieve broad organizational goals and enhance operational efficiency.
38. Be objective in assessing employee performance and taking appropriate corrective action if warranted.
39. Independently produce effective written communication of legal principles, facts, and position(s) for various audiences and forums.
40. Apply professional ethical rules as they relate to the practice of law and particularly the role of public attorneys.
41. Analyze proposed legislation and regulatory measures.
42. Independently prepare clear and effective technical and analytical legal documents (e.g., contracts, settlements, stipulations, memoranda, determination letters, regulations, etc.).
43. Assimilate and prioritize large amounts of information and connect that information to one's existing knowledge-base in order to formulate theories and conclusions.
44. Identify and comply with rules applicable to trial, hearing and other administrative proceedings to

- formulate and apply legal strategy and advise the agency representatives and/or clients on legal options.
45. Plan the development of a project, case or matter.
 46. Apply the principles and practices of properly conducting legal research, such as ensuring law is current and checking for recent amendments to statutes.
 47. Determine the appropriate amount of time to complete research/investigation.
 48. Accept constructive criticism regarding work products and practices in order to continually improve work performance.
 49. Handle changes in deadlines, assignments, and clients changing their minds.
 50. Independently prepare clear and effective persuasive legal documents (e.g., briefs, motions, pleadings).

BENEFITS

To learn more about the comprehensive benefit package please visit the CalPERS website at <http://www.calpers.ca.gov>.

VETERANS' PREFERENCE

Veterans' Preference will not be granted in the examination, as it does not meet the requirements to qualify for Veterans' Preference.

CAREER CREDITS

Career Credits will not be added to the final score of this examination.

CONTACT INFORMATION

For additional information regarding this examination, please contact the Franchise Tax Board Examination/Certification Unit at (916) 845-3608.

DISCLAIMER

Please click on the link below to review the official California State Personnel Board class specification:
<http://jobs.spb.ca.gov/wvpos/jobspecs.cfm>

GENERAL INFORMATION

The Franchise Tax Board (FTB) reserves the right to revise the examination plan to better the needs of the service if the circumstances change under which this examination was planned. Such revision will be in accordance with civil service laws and rules and all candidates will be notified.

It is the candidate's responsibility for an examination without a written feature to contact the Franchise Tax Board three weeks after the final filing date if he/she has not received any notification.

It is the candidate's responsibility for an examination with a written feature to contact the Franchise Tax Board six weeks after the final filing date if he/she has not received any notification.

If a candidate's notice was not received due to a verified postal error, he/she will be rescheduled upon written request. It is the candidate's responsibility to contact the Franchise Tax Board at (916) 845-3608.

Examination Locations: When a written test is part of the examination, it will be given in such places in California as the number of candidates and conditions warrant. However, locations of interviews or performance evaluations may be limited or extended as conditions warrant.

Examination Applications are available at www.jobs.ca.gov, CalHR State Jobs Center, State Personnel Board offices, local offices of the Employment Development Department and the testing department on this job bulletin.

If you meet the requirements stated on this bulletin, you may take this examination, which is competitive. Possession of the entrance requirement does not assure a place on the eligible list. Your performance in the examination will be compared with the performance of the others who take this test, and all candidates who pass will be ranked according to their scores.

Candidates needing special testing arrangements due to a disability must mark the appropriate box on the application and/or contact the testing department.

General Qualifications: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties of the class. A medical examination may be required. In open examinations, investigation may be made of employment records and personal history and fingerprinting may be required.

Eligible Lists: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) sub-divisional promotional, 2) departmental promotional, 3) multi-departmental promotional, 4) service-wide promotional, 5) departmental open, 6) open. When there are two lists of the same kind, the older must be used first. Eligible lists will expire in one to four years unless otherwise stated on the bulletin.

If Promotional Examinations Only: Competition is limited to employees who have a permanent civil service appointment and military veterans that meet all the minimum qualifications. Under certain circumstances, other employees may be allowed to compete under provisions of Rules 234, 235, and 235.2. State Personnel Board Rules 233, 234, 235, 235.2, and 237 contain provisions regarding civil service status and eligibility for promotional examinations. These rules may be reviewed at <http://www.spb.ca.gov/>.

If High School Equivalence is Required: Equivalence to completion of the 12th grade may be demonstrated in any one of the following ways: 1) passing the General Educational Development (GED) Test; 2) completion of 12 semester units of college work; 3) certification from the State Department of Education, a local school board, or high school authorities that the candidate is considered to have education equivalent to graduation from high school; 4) for clerical and accounting classes, substitution of business college work in place of high school on a year-for-year basis. NOTE: For peace officer classifications please refer to the testing department for special requirements.

Veterans' Preference: California Law (Government Code 18971-18979) allows the granting of Veterans' Preference in Open entrance and Open, Non-Promotional entrance examinations. Veterans' Preference will be granted to all competitors who are successful in these types of examinations, and who qualify for and have requested the Veterans' preference by mail. In Open entrance examinations, Veterans' Preference is granted to competitors who achieve a passing score, shall be placed in the top rank of the resulting eligibility list. Any veteran who has been dishonorably discharged or released is not eligible for Veterans' Preference.

Employees who have achieved permanent State civil service status are not eligible to receive Veterans' Preference. Permanent State civil service status means the status of an employee who is lawfully retained in his/her position after completion of the applicable probationary period. This includes permanent intermittent, part-time, and full-time

appointments. In addition, individuals who at any time achieved permanent State civil service status and subsequently resigned or were dismissed from State civil service are not eligible to receive Veterans' Preference. Veteran status is verified by CalHR.

How to Apply for Veterans' Preference: Directions to apply for Veterans' Preference Points are on the Veterans' Preference Application ([CalHR 1093](#)) which is available at www.jobs.ca.gov or from CalHR, 1810 16th Street Sacramento, CA 95811 and the Department of Veterans Affairs. For additional information, go to Department of Veterans' Affairs website at www.cdva.ca.gov.

Felony Disqualification: You are disqualified from being employed as a peace officer if: (1) You have been convicted of a felony in California or any other state; (2) you have been convicted of any offense in any other state which would have been a felony if committed in California; (3) you have been charged with a felony and adjudged by a superior court to be mentally incompetent; (4) you have been adjudged addicted or in danger of becoming addicted to narcotics, convicted, and committed to a State institution. If you have been convicted of a felony, you may be allowed to participate in this examination if your conviction(s): (1) has/have been sealed under Penal Code Section 851.7, 851.8, 1203.45, or Health and Safety Code Section 11361.5; (2) has/have been expunged or is/are expugnable pursuant to Health and Safety Code Section 11361.5 regarding marijuana offenses; (3) was/were stipulated or designated to be a lesser included offense of marijuana possession under Health and Safety Code Section 11557 or 11366.

TDD is Telecommunications Device for the Deaf and is reachable only from phones equipped with a TDD Device. California Relay Service (Telephone) for the deaf or hearing impaired. From TDD phones: 1-800- 735-2929 or from voice phone: 1-800-735-2922.

Franchise Tax Board, Examination/Certification Unit

P.O. Box 550, Sacramento, CA 95812-0550

Phone: (916) 845-3608

Website: www.ftb.ca.gov