



MARCH 2021
FLSA: EXEMPT
Bargaining Unit: UD
JCN:

ALTERNATE PUBLIC DEFENDER

DEFINITION

Under policy direction, plans, organizes, manages, and provides direction and oversight for all functions and activities of the Alternate Public Defender's Office, which handles cases on which the Public Defender's Office either declares or has a conflict of interest pursuant to Penal Code §987.2; maintains a significant adult and juvenile felony and misdemeanor caseload compatible with the independent administrative and executive responsibilities; formulates departmental policies, goals, and directives; provides highly responsible and complex professional assistance to the Chief Administrative Officer, County departments, and the Board of Supervisors in areas of expertise; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives policy direction from the Chief Administrative Officer and/or the Board of Supervisors. Exercises general direction and supervision over supervisory, professional, technical, and/or administrative support staff.

CLASS CHARACTERISTICS

This is an at-will department head position appointed by the Board of Supervisors and, pursuant to County Charter, is evaluated by the Chief Administrative Officer for submittal to the Board of Supervisors. Under a delegation of authority from the Board of Supervisors, this class has the overall responsibility for coordination and direction of the Alternate Public Defender's Office. The incumbent is responsible for overall policy development, fiscal management, administration, and operation of the Alternate Public Defender's Office. Successful performance of the work requires knowledge of public policy, municipal functions and activities, including the role of an elected Board of Supervisors, and the ability to develop, oversee, and implement projects and programs in a variety of areas. The incumbent is accountable for accomplishing departmental planning and operational goals and objectives, and for furthering County goals and objectives within general policy guidelines.

The Alternate Public Defender is distinguished from the Public Defender in that the latter is responsible for the direction and management of all cases in the Public Defender's Office that have not be conflicted out.

This class is further distinguished from the Assistant Public Defender in that the latter is an assistant department head level position whereas the incumbent acts for the Public Defender in his/her absence.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

- Assumes full management responsibility for all programs, services, and activities of the Alternate Public Defender's Office.
- Develops and directs the implementation of goals, objectives, policies, procedures, and work standards for the Alternate Public Defender's Office; directs the preparation and administration of the department's budget.
- Manages the strategic direction for the department, based upon the vision, mission, service level needs, requirements, and the County's Strategic Plan.

- Formulates and recommends policy to the Chief Administrative Officer and Board of Supervisors, and implements after adoption.
- Provides professional and technical advice to attorneys in the office; may defend complex, difficult, sensitive, and high penalty cases, from arraignment through the appellate process; may perform trial work, including jury selection, examination, cross-examination, and arguing the defense case.
- Reviews the sufficiency of cases prepared by staff, including strategy, documentation, alternative approaches, and case disposition.
- Selects, trains, motivates, and evaluates the work of department personnel; provides direction or coordinates staff training; works with employees to correct deficiencies; and implements discipline and termination procedures as required.
- Prepares and directs the preparation of a variety of periodic and special reports related to the activities and cases defended by the Office.
- Assists staff with interpreting County policies and procedures.
- Monitors legal developments, including legislation and court decisions related to the defense of the public.
- Attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of law and other services as they relate to the area of assignment.
- Represents the Alternate Public Defender's Office and the County in meetings with a variety of public and private groups and individuals.
- Performs related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Administrative principles and practices including goal setting, budget development and implementation.
- Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Principles and practices of employee supervision, including planning and assigning work, performance review and evaluation, discipline, and the training of staff in work procedures.
- Advanced principles and procedures of criminal law, particularly as they relate to the defense of court-referred clients.
- Advanced principles, methods, and practices of legal research and investigation.
- Judicial procedures and the rules of evidence.
- Advanced pleadings, practices, and effective techniques in the presentation of court cases.
- Applicable federal, state, and local laws, regulatory codes, constitutional provisions, ordinances, and procedures relevant to County governmental and public agency operations.
- Responsibilities and obligations of public officials and administrative agencies.
- County government organization, structure, and functional responsibilities.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- The structure and content of the English language, including the meaning and spelling of words, rules of composition, and grammar.
- Modern equipment and communication tools used for business functions and program, project, and task coordination.
- Computers and software programs (e.g., Microsoft software packages) to conduct, compile, and/or generate documentation.

Ability to:

- Provide professional leadership and direction for the Alternate Public Defender's Office.
- Develop, interpret, and implement goals, objectives, policies, procedures, work standards, and internal controls.
- Perform complex legal research, analyze complex administrative and legal situations, evaluate alternatives, and make sound recommendations.
- Understand, interpret, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Analyze and apply legal principles and precedents, develop defense strategies, and make effective court and hearing presentations.
- Plan, organize, administer, review, and evaluate the work of professional, contract, and other support staff.
- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Conduct effective negotiations.
- Handle the full range of public defense cases.
- Prepare clear, concise, and complete legal documentation and reports, correspondence, and other written material.
- Make effective court and hearing presentations.
- Analyze and apply legal principles and precedents to specific local government problems.
- Effectively represent the department and the County in meetings with the Courts, other County justice partners, and other governmental agencies; community groups; various business, professional, and regulatory organizations; and in meetings with individuals.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Effectively use computer systems, software applications, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing, using appropriate English grammar and syntax.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

Equivalent to a bachelor's degree from an accredited four-year college or university, plus a Juris Doctorate from an accredited school of law;

AND

Eight (8) years of experience in the active practice of criminal law in the State of California as a practicing attorney, which includes at least four (4) years in the defense of the indigent in the State of California and two (2) years in supervising or managing attorneys and support staff.

Qualification under the California Rules of Court, Rule 8.605, et.seq., to act as lead counsel in a death penalty case is preferred.

Licenses and Certifications:

- Possession of, or ability to obtain and maintain, a valid California or Nevada Driver's License and a satisfactory driving record.
- Possession of an active membership in good standing with the State Bar of California.

PHYSICAL DEMANDS

The standard office position requires an employee to access their work location, attend meetings, use computerized workstations, and lift paperwork and light-weight equipment or resources (less than 20 pounds). Typically, an employee will need to walk, stand, sit, use a keyboard, see, hear, bend, lift, and twist. The employee obtains information from oral instructions, conversations, written reports, email, the Internet, and professional publications, and will process and analyze the information obtained. The employee will provide information orally or in writing, and work on numerous concurrent projects and tasks under deadlines. Typically, an employee will need to mentally process and analyze complex information, compose complex responses, interact with others, and present information and reports. Reasonable accommodations will be made for individuals on a case-by-case basis.

ENVIRONMENTAL CONDITIONS

Employees work primarily in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with members of the public or with staff under emotionally stressful conditions while interpreting and enforcing departmental policies and procedures.

WORKING CONDITIONS

May be required to attend meetings outside of regular business hours.