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FLSA: EXEMPT
Bargaining Unit: UM
JCN: 5305

PA # 9/APD.1-2

County of El Dorado
June 1990

ASSISTANT PUBLIC DEFENDER

DEFINITION

Under administrative direction, assists the Public Defender in ~~administering~~ planning, organizing, managing, and coordinating specified phases of the work ~~providing direction and oversight for all functions and activities~~ of the Public Defender's office; directs the day-to-day operation of a designated office; performs specialized and complex legal work in connection with the more significant, technical and/or complex issues in the defense of Public Defender clients; ~~;~~ serves as a member of the Department's management team; and performs related duties as assigned.

DISTINGUISHING SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the Public Defender. Exercises general direction and supervision over supervisory, professional, technical, and administrative support staff through subordinate levels of supervision.

CLASS CHARACTERISTICS

This ~~class has responsibility for assisting the Public Defender with designated departmental~~ is an assistant department director classification that oversees, directs, and participates in major activities and programs of the Public Defender's office, including administrative matters and for acting as senior counsel in the defense ~~handling of serious, controversial and high penalty cases,~~ and complex legal matters. Assists in short- and long-term planning, development; and administration of departmental policies, procedures, and services. Successful performance of the work requires an extensive professional background as well as skill in coordinating departmental work with that of other County departments and public agencies. Responsibilities include performing and directing many of the department's day-to-day administrative functions.

This class is distinguished from ~~Chief Assistant~~ the Public Defender in that the latter ~~acts as the senior assistant to the Public Defender and directs all activities in the Lake Tahoe office.~~ is responsible for the direction and management of the entire Department.

EXAMPLES OF DUTIES/TYPICAL JOB FUNCTIONS (Illustrative Only)

- Assists in the development and implementation of goals, objectives, policies ~~policies~~, procedures, and work standards for the Public Defender's office; monitors Department expenditures;
- provides input into the department's budget.—
- Assists in planning, organizing, administering, reviewing and evaluating the activities of professional and support staff; assists in the selection of staff and provides for their training and professional development.—
- Reviews incoming cases for attorney assignment, monitors attorneys' caseloads, strategically employs

- attorney resources for efficiency and constitutionally-sound representation.
- > Provides technical advice to attorneys in the office; defends ~~the more~~-complex, difficult, sensitive, and high penalty cases.—
- Assists the Public Defender in the selection, training, and evaluating of department personnel; provides direction or coordinates staff training; works with employees to correct deficiencies; and implements discipline and termination procedures as required by the Public Defender.
- > Serves as a staff defense attorney for court-referred clients ~~by:—~~.
- Interviewing ~~Appears at pre-trials, trials, arraignments, revocation and bail hearings, and preliminary, intervention and conservator ship hearings to represent clients.~~
- > Interviews potential clients; ~~advising~~ advises them of their legal rights, ~~determining; determines~~ their eligibility for defense, including potential admission to ~~State~~ state mental health facilities.
- > ~~Preparing~~ Prepares and ~~conducting~~ conducts a legal defense, from pre-trial through appellate stages.—
- > ~~Negotiating~~ Negotiates with prosecution attorneys for case disposition or ~~modification.~~—modification.
- > ~~Performing~~ Performs trial work, including jury selection, examination and cross-examination, and arguing the defense case.—
- > ~~Reviewing~~ Reviews and/or ~~preparing~~ prepares and facilitates training materials, and coordinates training activities for departmental attorneys.
- ~~Monitors legal developments including legislation and court decisions related to the defense of the public.—~~
- > Represents the Public Defender's office in meetings with a variety of public and private groups and individuals.—
- Acts as a liaison with administrators and/or representatives of the Superior Courts, the Probation Department, the District Attorney's Office, the Sheriff's Department, local law enforcement agencies, other County Departments, and client-related organizations such as NAMI.
- 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.
- > Assists and advises County management in cases involving potential criminal prosecution.
- > ~~Attendance and punctuality that is observant of scheduled hours~~ Acts as the Public Defender on a ~~regular~~ relief basis.
- > Performs ~~other~~ related duties—as assigned.

QUALIFICATIONS

Knowledge of:

- Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Administrative principles and practices including goal setting, budget development and implementation, and employee supervision.
- ⊕ Principles, philosophy, and practice of criminal law, especially as related to the defense of court-referred clients.
- ⊕ Principles, methods, and practices of legal research and investigation.
- ⊕ Judicial procedures and rules of evidence.
- ⊕ Pleadings ~~and~~, practices, and effective techniques in the presentation of trial cases.
- ⊕ ~~State and~~ Applicable federal, state, and local laws ~~and~~, regulatory codes, constitutional provisions, ~~ordinances, and procedures~~ affecting public defense from pre-trial through appeal.
- ⊕ Basic budgetary principles and practices.
- ⊖ ~~Basic supervisory principles~~ Principles and practices.

Skill in:

- ⊕ ~~Planning, organizing, directing of employee supervision, including work planning, assignment review and evaluation, discipline, and reviewing the work~~ training of assigned staff in work procedures.
- ~~Assisting~~ 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:

- ⊕ Assist in developing and implementing goals, objectives, policies, procedures, and work standards.
- ~~Performing~~ Assist in preparing and administering budgets; allocate limited resources in a cost effective manner.
- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- ⊕ Perform complex legal research, ~~analyzing~~ analyze multi-faceted problems, ~~evaluating~~ evaluate alternatives, and ~~making~~ make sound recommendations.
- ~~Exercising~~ Handle the full range of public defense cases.
- ⊕ Exercise independent judgment within general policy guidelines and legal parameters.
- ⊕ Analyzing Analyze and ~~applying~~ apply legal principles and precedents and ~~making~~ make effective

court and hearing presentations.

- ~~Representing~~ **Represent** the assigned client effectively in hearings, courts of law, and meetings with others.
- ~~Preparing~~ **Conduct effective negotiations.**
- **Prepare** clear, concise, and complete legal documentation and reports, correspondence, and other written materials. ~~—material.~~
- ~~Establishing and maintaining~~ **Understand, interpret, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.**
- **Effectively represent the department and the County in meetings with 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 ~~the~~ work.

Other Requirements:

- ~~Must possess a valid driver's license. Must be a member in good standing of the California State Bar Association.~~

Education and Experience:

Equivalent to ~~graduation~~ **a bachelor's degree from an accredited four-year college or university, plus an appropriate a Juris Doctorate from an accredited school of law degree,** and ~~five~~ **eight (8)** years of experience in the active practice of **criminal defense** law in the State of California which has included experience in the defense of ~~court-referred clients~~ **the indigent in the State of California** and significant trial experience; **including two (2) years in a supervisory or management attorney capacity.**

~~NOTE: The above qualifications are a typically accepted way of obtaining the required knowledge and skills.~~ **Licenses and Certifications:**

- **Possession of, or ability to obtain, a valid California Driver's License by time of appointment 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 County hours.