

**MENDOCINO COUNTY GOVERNMENT
CLASS SPECIFICATION**

CLASS TITLE: ALTERNATE DEFENDER
DEPARTMENT: PUBLIC DEFENDER
REPORTS TO: PUBLIC DEFENDER
CIVIL SERVICE: NO

CLASS CODE: 7084
FLSA STATUS: E
DATE: 11/07
BARGAINING UNIT: 303 MANAGEMENT

JOB SUMMARY AND DISTINGUISHING FEATURES:

Under general direction of the Public Defender, the Alternate Defender is responsible for the overall day-to-day administration and management of all functions within the Alternate Defender's office; performs the most significant and complex legal work handled by the office; work consists of varied and highly complex professional and administrative duties.

DISTINGUISHING CHARACTERISTICS:

This is the Senior Attorney in the Alternate Defender's office; incumbents in this class are assigned the most complex misdemeanor cases and serious and violent felony cases. This position is distinguished from Deputy Public Defender IV by its supervisory duties and its responsibility to manage division operations. This position is distinguished from the Public Defender by the latter's responsibility to plan, organize and direct operations of the department.

SUPERVISION EXERCISED:

Exercises technical and functional supervision over the Deputy Public Defender series, legal support staff and other staff.

EXAMPLE OF DUTIES: *(Duties may include, but are not limited to the following)*

- Plan, organize, direct and administer a program of legal counseling and representation for indigent persons accused of violations of criminal law, juveniles brought before the juvenile court and persons undergoing involuntary commitment proceedings for mental illness, drug addiction or alcoholism when a conflict has been declared by the Public Defender's office.
- Carry out supervisory duties in accordance with policies, procedures and applicable laws including: interviewing, hiring and training and mentoring, planning, assigning and directing work; appraising performance, rewarding and disciplining employees; addressing complaints and resolving problems.
- Plan and implement short-term or annual goals, objectives, and strategies for the division to ensure efficient organization and completion of work.
- Plan, allocate, and monitor time, people, equipment, and other resources for the organization to ensure efficient organization and completion of work.
- Plan, organize, assign, review, and control work production and activities, to include procedures, allocation of resources, problem resolution, and training of employees.
- Develop, communicate, and monitor policies, procedures, and standards for the division; recommends and implements improvement when necessary.
- Provide information, advice, feedback, or assistance to others within the division to refine work outputs or resolve problems.
- Ensure that quality standards and compliance with regulations are maintained.
- Advise Public Defender regarding staffing and resource needs of the division; work within the confines of budget decisions of the Public Defender.
- Assign individual attorneys to specific Consolidated Court divisions.
- Review samplings of case files and transcripts of preliminary hearings in felony cases and other materials related to incoming or continuing workload.
- Review and evaluate summaries prepared by legal staff recommending that cases be contested in the Consolidated Court; determine whether conviction should be appealed to higher courts in cases where client is convicted.
- Appear in court as defense attorney in serious cases including capital and capital homicides.
- Conduct legal research using independent judgment, discretion and initiative.
- Prepare reports, opinions, pleadings, briefs, appeals and/or other legal documents in connection with trials, hearings and other complex legal proceedings.

- Interview and advise clients in regard to complex and difficult cases; counsel clients concerning their rights and possible consequences of various actions.
- Discuss cases with associated parties, such as investigators, police officers, probation officers, mental health professionals, agencies providing services to clients, and other attorneys. Negotiate resolution of cases with deputy district attorneys.
- Explain and/or discuss the Alternate Defender program with judges, prosecutors, law enforcement officials, the public and/or others.
- Prepare comprehensive investigative and/or other reports.
- Attend and/or conduct various internal and external meetings.
- Review and interpret current relevant legislation and litigation.
- Develop and present formal and informal training programs for staff.
- Conduct regular staff meetings to review progress, accomplishments, strategies, and plans.
- Maintain and upgrade professional knowledge, skills, and development by attending seminars and training programs and reading trade and professional journals and publications.
- Perform other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

General Office Equipment
Computer
Vehicle

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

Current membership with the State Bar of California and five years of increasingly responsible experience as a practicing attorney to include at least one year performing managerial level supervisory and administrative duties; or any combination of education, training and experience that provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Licenses and Certifications:

Licensed to practice law in the State of California
Valid Drivers License

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

- Principles, procedures and practices regarding the practice of law in the State of California.
- Applicable state, federal and local ordinances, laws, rules and regulations.
- Record keeping, report preparation, filing methods and records management techniques.
- Methods and techniques of research, statistical analysis and report presentation.
- Ethical and professional standards of conduct.
- Computer applications and hardware related to performance of the essential functions of the job.
- Administrative principles and practices including goal setting and implementation.
- Administration of staff and activities, either directly or through subordinate supervision.

Skill in:

- Preparing clear and concise reports, correspondence and other written materials.
- Using tact, discretion, initiative and independent judgment within established guidelines.
- Organizing work, setting priorities, meeting critical deadlines, and following up on assignments with a minimum of direction.
- Applying logical thinking to solve problems or accomplish tasks; to understand, interpret and communicate complicated policies, procedures and protocols.
- Communicating clearly and effectively, both orally and in writing.
- Motivating staff, supporting and providing for their training and professional development.
- Analyzing and resolving office administrative situations and problems.
- Selection, planning, organizing, assigning, directing, reviewing and evaluating the work of staff.

Mental and Physical Ability to:

- Analyze situations effectively, interpret and apply laws and regulations and recommend effective courses of action.
- Read, analyze and interpret professional periodicals and journals, technical procedures and government regulations.
- Write reports, motions, briefs and/or other legal documents.
- Speak effectively before groups and respond to questions.
- Argue clearly, logically and persuasively in written and oral form.
- Maintain confidentiality and objectivity.
- Understand and accept differences in human behavior, cultural and ethnic backgrounds.
- Establish and maintain effective working relationships with a variety of individuals.
- Prepare and present cases in court; negotiate settlements.
- Train and mentor less experienced attorneys.
- While performing the essential functions of this job the employee is regularly required to sit, use hands to finger, handle, or feel, reach with hands and arms, and speak and hear.
- While performing the essential functions of this job the employee is occasionally required to stand, walk and lift and/or move up to 40 pounds.

Working Conditions:

Work is performed in a normal office environment with little exposure to outdoor temperatures or dirt and dust. The incumbent's working conditions are typically moderately quiet.

This class specification should not be interpreted as all-inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.