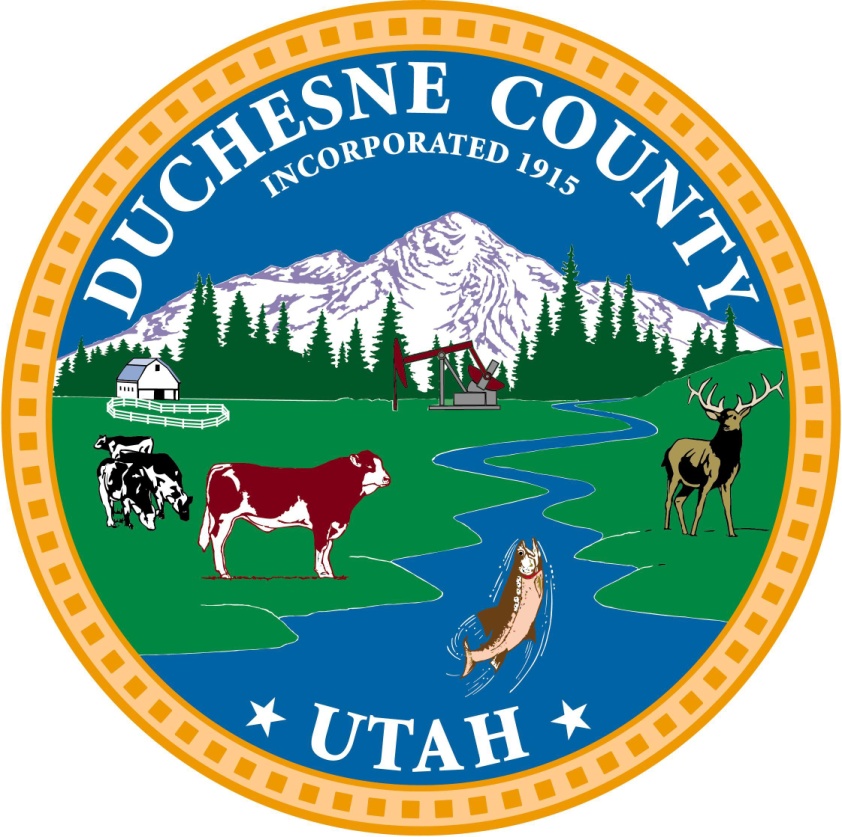
****

|  |  |
| --- | --- |
| **POSITION DESCRIPTION**  **Chief Deputy County Attorney**  **FLSA Status: Exempt**  **County Classification: Professional**  **~~Salary Grade/Band:~~** | **9 June 2015**  **Reports to: Duchesne County Attorney**  **Revised:\_\_\_\_\_\_**  **Human Resources Initials:\_\_\_\_\_\_** |
|  |  |
| **POSITION PROFILE**  Under the overall direction and general supervision of the County Attorney, performs administrative, professional and first-line supervisory duties as required to expedite the efficient and effective litigation of criminal and civil cases. Assumes responsibility for the operation of the county attorney’s office in the absence of the elected County Attorney. Provides legal counsel and representation to all Duchesne County elected officers, appointed department heads, managers and employees in the fulfillment of their statutory and County duties and to other political subdivisions of the state located within the County. Provides counsel to private entities and individuals as required. Performs administrative and professional duties as needed to advise, counsel and monitor all legal affairs of the County related to County governance. Discharge the duties of, the elected County Attorney in the event of his or her absence or disability. | |
| **GOALS**   * To provide civil, criminal, and litigation advice to the County Commissioners, officials and departments. * To ensure work performance, effective time management practices, and attention to detail. * To reduce office and countywide liabilities though knowledge and practice of Policy and Procedures in accordance with applicable local, state, and federal laws, and in accordance with the Duchesne County Policies and Procedures Manual. * To provide highly responsible and complex staff assistance to the Duchesne County. * To ensure due process and timely response to requests and equality in cases. | |
| **ESSENTIAL FUNCTIONS**   * Directs, supervises and administers the operations and personnel of the County Attorney’s Office in fulfilling the statutory obligations of the County Attorney. * Administers and oversees the management and trying of felonies and class “A” misdemeanors in justice, juvenile and district courts; receives case reports, examines evidence, performs preliminary reviews to assure standing and delegates case load to professional staff. * Determines charges and pursuit of prosecution; monitors case progress to ensure efficient and effective processing and litigation. * Prepares and tries litigations against persons or organizations arising out of criminal activities; interviews victims, (of crimes, or other adverse actions) witnesses and law enforcement officers; recommends appropriate charges to be brought against accused persons or organizations. * Utilizes administrative staff to coordinate the preparation of necessary documentation as needed to expedite law enforcement efforts, such as search warrants and affidavits, etc.; reviews documentation and authorizes filings with the court. * Prepares for court by performing legal research, drafting briefs, gathering and analyzing evidence, prepares jury instructions; delivers the plaintiff's or county's case in criminal proceedings; attends and participates in arraignments, sentencing and preliminary hearings; attends and represents the State at bail hearings, recommends bail, negotiates bail with defense attorneys; negotiates plea offerings; attends sentencing hearings and makes recommendations for sentencing. * Prepares writs, subpoenas, motions and other legal documents; submits regular reports, written or verbal to apprise County Attorney of status of assigned cases. * Reviews performance of less experienced Deputy County Attorneys; provides on-the-job training and advises staff on professional technicalities, processes and procedures. * Provides leadership and works with supervisors to develop and retain highly competent, service-oriented staff through selection, training, and day-to-day management practices that support the mission, objective and service expectations. * Participates in various personnel actions and makes recommendations for recruitment, selection, appointments, transfers and discipline in order to maintain an effective and efficient work force; participates in employment application screening selection and pre-employment selection process. * Responds to media inquiries regarding cases; follows established policies and procedures; recommends and implements policies for media relations and general public relations. * Provides legal advice to law enforcement and state agencies; prepares and conducts legal topic training for police officers and sheriff deputies. * Acts as trial attorney for criminal prosecutions and advises the County Attorney on legal issues involving criminal prosecutions in Duchesne County. * Supervises the investigators and support staff of the Investigations Bureau. Directs and coordinates investigations conducted by the bureau and advises the County Attorney on the legal issues involved. * Represents the State of Utah and Duchesne County in the prosecution of criminal violations. * Prepares the Criminal Division budget. * Coordinates continuing legal education for subordinate attorneys and continuing peace officer training for investigators. * Supervises, assigns and trains support staff within the Civil Division to fulfill the duties and responsibilities of the Civil Division. * Attends, or assures the attendance of an appropriate representative of the County Attorney's Office at all meetings of the Duchesne County Board of Commissioners and provides and supervises legal advice and counsel regarding the matters considered and the conduct of the meeting. * Attends elected official and department head meetings as requested and required to advise, counsel and consult with various departments and agencies of the County. * Attends and participates in public meetings as requested and required to serve as a resource and legal voice of the County. * Apprises County Officers regarding various legal issues related to statutes, ordinances, policies and practices. * Drafts resolutions and ordinances for consideration by the County Commission. * Participates in major policy decisions by County elected officers, department heads, and employees by providing direct legal advice to County elected officers, department heads and employees. * Assists in the development of administrative procedures for County departments and agencies. * Assists department heads in budget preparation and submits other recommendations when solicited. * Investigates and provides opinion as to the validity of claims against the County. * Negotiates with others on legal issues pertaining to County government. * Provides legal advice to Duchesne County Sheriff Office as requested, required and directed. * Provides legal advice to law enforcement agencies within the County as requested. * Performs research and analysis of law sources such as statutes, recorded judicial decisions, legal articles, treaties, constitutions and legal codes to prepare opinions of various legal problems of the County related to civil issues, i.e., planning and zoning, ordinances, resolutions, records and deeds, tax valuation, public roads, public lands, water rights, rights-of-way and easements, land acquisitions, building department ordinances and permits, County land use, development, management and jurisdiction, assessments and taxation; emergency management, risk management, and employee relations, etc. * Prepares and litigates cases arising out of County civil activities. * Represents County in administrative, non-judicial and quasi-judicial hearings related to civil matters. * Provides legal representation in court for and on behalf of the County in all civil and regulatory matters and oversees and coordinates with outside counsel engaged to represent the County’s interests.; * Prepares legal documents such as pleadings, motions, briefs, appeals, contracts, leases, deeds. * Represents County elected officers, department heads and employees before federal and state court and federal, state and local administrative agencies. * Represents Duchesne County officers, department heads and employees to the public through personal presentations, press releases and or other appropriate media. * Perform other job related duties as assigned by the County Attorney, including but not limited to prosecution of felonies and misdemeanors in district court, juvenile court and justice court. | |
| **EDUCATION AND EXPERIENCE**   * Graduation from an ABA accredited law school with a Juris Doctorate Degree or its equivalent in both criminal and local government law. * Admission to the Utah State Bar, and member in good standing; and * Six (6) years of experience as a practicing attorney including trial experience.   **OTHER REQUIREMENTS**   * Must have a current and valid Utah Driver License; and * Must be able to successfully pass a criminal background investigation and drug test. | |
| **REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:**   * Ability to maintain cooperative working relationships with those contacted in the course of work activities. * Extensive knowledge of local government law. * Extensive knowledge of criminal statutes. * Extensive knowledge of the principle and practices of budgeting, time management, and supervisory techniques. * Extensive knowledge of litigation proceedings including rules of civil, criminal, and juevinille procedures, rules of evidence, rules of appellate procedure, and the criminal code. * Expert skill in litigation and trial advocacy. * Expert skill in conducting legal research, legal writing including legal briefs and memos, analytical problem solving and decision making in adversarial circumstances. * Considerable knowledge and application of the Utah Code and local ordinances and how they apply to County government operations. * Considerable knowledge and application of case law related to a variety of County government subjects and criminal prosecution; principles, practices and methods used in legal research. * Demonstrates a thorough knowledge of federal, state and County law, administrative rules, rules of ethics for attorneys, and the policies and procedures for each elected officer of Duchesne County. * Establishes and maintains effective working relationships with all county officers, department heads and employees, representatives of other federal, state, and local agencies, crime victims, and the public. * Effectively exercises decision-making authority with appropriate discretion when supervising professional employees, or advising or representing the County or County officers. * Ensures that all civil statutory duties of the County Attorney are effectively and appropriately accomplished in a timely fashion. * Makes effective and persuasive oral and written presentations on controversial or complex topics to clients, other agencies, and the public. * Timely completes performance reviews and reports of support staff under supervision, documents employee performance, effectively communicate performance issues with supervised staff, and provides clear direction to supervised staff. | |
| **PERFORMANCE MEASUREMENTS**   * Responsible to meet all expectations of the essential functions and perform the required skills and abilities. | |
| **PHYSICAL REQUIREMENTS**   * Work is primarily sedentary in nature, performed in a typical office setting with appropriate climate controls. Tasks require variety of physical activities, not generally involving muscular strain, such as walking, standing, stooping, sitting, reaching, talking, hearing and seeing. Common eye, hand, finger dexterity exist. * Extended periods of time viewing a computer video monitor and operating a keyboard, other physical requirements will also include, walking, bending, stooping, and filing. * Occasionally lifts, carries, pushes, pulls, or otherwise moves objects weighing up to 40 pounds. * Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus. * Periodic travel required in normal course of job performance. | |
| **LANGUAGE SKILLS**   * Must be able to write clearly and concisely, edit work for spelling and grammar, and be able to read and interpret difficult and complex written information. * Must be able to respond to inquiries from outside counsel and support staff, public, agencies, companies, and   other departments to fulfill requests for information.  ⚫ Drafts complex legal documents in an organized and professional manner. | |
| **REASONING ABILITY**   * Must have the ability to synthesize complex or diverse information and collect and research data. * Must analyze difficult and complex legal, managerial, and administrative issues and to formulate and communicate effective solutions to problems. * Mental application utilizes memory for details, verbal instructions, emotional stability, discriminating thinking and some creative problem solving. * Ability to conduct the prosecution or defense of civil and criminal cases assigned. * Ability to present statements of fact, law and argument intelligently and logically. * Ability to gather and evaluate information obtained through research, investigations and interrogations. * Apply legal principles and knowledge to individual cases and problems. * Ability to analyze and evaluate facts and evidence and to apply them to individual cases and problems. | |
| **HAZARDS**   * Work may expose the incumbent to potentially hostile situations and to individuals who are angry, agitated or otherwise upset. * Work in office setting under florescent lighting which may cause minimal eye strain, but can be accommodated to individual needs. * The noise level is usually moderate. | |

**DISCLAIMER:** The above statements describe the general nature, level, and type of work performed by the incumbent(s) assigned to this classification. They are not intended to be an exhaustive list of all responsibilities, demands, and skills required of personnel so classified. Job descriptions are not intended to and do not imply or create any employment, compensation, or contract rights to any person or persons. Management reserves the right to add, delete, or modify any and/or all provisions of this description at any time as needed without notice. This job description supersedes earlier versions.