



AGENDA ITEM NO.
C-13

COUNTY OF HUMBOLDT

For the meeting of: June 14, 2016

Date: June 9, 2016
To: Board of Supervisors
From: Daniel Fulks, Director of Human Resources *DF*
Subject: Revised Class Description for Assistant Public Defender

RECOMMENDATION:

That the Board of Supervisors approve the revised class description for Assistant Public Defender (salary range 542, class 0625) effective immediately.

DISCUSSION:

The class description for the position of Assistant Public Defender was recently found to need updating and revision.

Human Resources updates class descriptions whenever such modifications are deemed appropriate to accurately describe County positions. These changes are relatively minor and do not affect the salary level of the class.

SOURCE OF FUNDING: Public Defender Budget Unit 219

OTHER AGENCY INVOLVEMENT: None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Not approve the revisions to the Assistant Public Defender class description.

ATTACHMENT: Assistant Public Defender Class Description

Prepared by Daniel Fulks CAO Approval *Cheryl Dillmeyer T LFR*
REVIEW: Auditor _____ County Counsel _____ Human Resources *DF* Risk Manager _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor *Fennell*
Seconded by Supervisor *Sundberg*
And unanimously carried by those members present,
The Board hereby adopts the recommended action
contained in this report.

PREVIOUS ACTION/REFERRAL:
Board Order No. _____
Meeting of: _____

Dated: *June 14, 2016*
Kathy Hayes, Clerk of the Board
By: *for Huntwell*

ASSISTANT PUBLIC DEFENDER

DEFINITION

Under direction, assists in administering and coordinating all phases of the work of the Public Defender's 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; acts in the capacity of Public Defender in their absence; performs related work as assigned.

DISTINGUISHING CHARACTERISTICS

This single position class has responsibility for assisting the Public Defender with departmental administrative matters and for acting as senior counsel in the defense of serious, controversial and high penalty cases. This class is distinguished from Public Defender in that the latter has primary responsibility overall management and administrative responsibility for the Public Defender's office.

EXAMPLES OF DUTIES (Illustrative Only)

- Assists in the development and implementation of goals, objectives, policies, procedures and work standards for the Public Defender's office; assists in the administration to the department's budget.
- Plans, organizes, administers, reviews and evaluates the activities of professional and support staff; assists in the selection of staff and provides for their training and professional development.
- Provides technical advice to attorneys in the office; defends the more complex, difficult, sensitive and high penalty cases.
- Serves as a staff defense attorney for court-referred clients by:
- Interviewing potential clients, advising them of their legal rights, determining their eligibility for defense, including potential admission to State mental health facilities.
- Preparing and conducting a legal defense, from pretrial through appellate stages.
- Negotiating with prosecution attorneys for case disposition or modification.
- Performing trial work, including jury selection, examination and cross-examination and arguing the defense case.

- Reviews and/or prepares 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 his/her absence at all multiagency advisory boards, commissions and committees.

QUALIFICATIONS

Knowledge of:

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 federal laws and constitutional provisions affecting public defense from pre-trial through appeal.

Basic budgetary principles and practices.

Skill in:

Planning, organizing, directing and reviewing the work of and providing technical assistance to assigned staff.

Assisting in developing and implementing goals, objectives, policies, procedures and work standards.

Performing complex legal research, analyzing multi-faceted problems, evaluating alternatives and making sound recommendations.

Exercising independent judgment within general policy guidelines and legal parameters.

Analyzing and applying legal principles and precedents and making effective court and hearing presentations.

Representing the assigned client effectively in hearings, courts of law, and meetings with others.

Preparing clear, concise and complete legal documentation and reports, correspondence and other written materials.

Establishing and maintaining effective working relationships with those contacted in the course of the work.

Other Requirements:

Must possess a valid driver's license. Must be a current member of the California State Bar Association.

Desirable Education and Experience:

A typical way to obtain the knowledge and skills outlined above is:

Two (2) years of experience as a senior attorney in a public defender or prosecution office or equivalent experience to Humboldt County Deputy Public Defender IV, supervising attorney in a public office providing criminal defense or prosecution, or equivalent experience.

Equivalent to graduation from a four year college or university, plus an appropriate law degree and five years of experience in the active practice of law in the State of California which has included experience in the defense of court-referred clients and significant high level trial experience.