

## **SOCIAL SERVICES COMMITTEE**

### **AGENDA**

**Wednesday, June 11, 2014**

**8:45 a.m.**

- 1. Committee Meeting called to order by Chairman.**
- 2. Motion to approve minutes of prior Committee meeting.**
- 3. Action Items**
  - A. Request permission to set the salary of the Social Services Attorney at \$73,000 based on the results of the salary study.**
  - B. Request permission to fill the vacant position of Assistant Social Services Attorney due to the promotion of Anthony Jordan, Annual Salary of \$64,134.**
- 4. Countryside Adult Home**

# **RESOLUTION REQUEST FORM NO. 20**

## **MISCELLANEOUS**

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME: SOCIAL SERVICES**

**DATE: 6/11/14**

- (a) Purpose of Request: **Request permission to set the salary of the Social Services Attorney at \$73,000**
- (b) Details: **Based on results of Salary Survey**
- (c) Previous Resolution Number: **255 of 2014**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: **A.6010 110**

**Sample: A.8021 470 Planning & Community Development – Contract**

**\* as listed in budget and LOGOS**



<u>Salary</u>	<u>Local Share</u>	<u>difference</u>
66,940	15,387	
70,000	16,100	713
71,000	16,330	943
72,000	16,560	1,173
73,000	16,790	1,403
74,000	17,020	1,633
75,000	17,250	1,863
76,000	17,480	2,093
77,000	17,710	2,323

prepared  
by  
Suzanne Wheeler

## SOCIAL SERVICES ATTORNEY

**Distinguishing Features of the Class:** This is a full-time professional position requiring performance and administration of local district Department of Social Services ("Department") legal work which falls outside the scope of legal services provided to the Department by the County Attorney's Office. This position also serves as confidential counsel to its Commissioner. The work is performed in accordance with the provisions of the New York State Social Services Law, New York State Rules and Regulations, Family Court Act, other applicable laws and rules, policies established by the Commissioner and policies approved by the County Board of Supervisors. The position requires ongoing interpretation and implementation of the foregoing, legal research, independent informed judgment, pursuit of appropriate legal action as well as administration of legal services and supervision of legal personnel for the Department. The position is under the general direction of the Commissioner of Social Services. The attorney is on-call on a 24 hours basis at all times. Does related work as required.

### **Typical Work Activities:**

Provides legal counsel to the Commissioner, officials and employees of the Department relating to the administration of Department programs, including Public Assistance, Child Services, Adult Services, Family Preservation and Youth Development, Child Support, Medical Assistance, Recovery and Fraud.

Represents and/or oversees the representation of the Commissioner in Mental Hygiene Law Article 81 proceedings relating to guardianship of incapacitated persons.

Prepares and/or oversees the preparation of all petitions filed by the Department on behalf of those it serves. Examples include, but are not limited to, abuse and neglect petitions, permanency hearings, petitions to terminate parental rights and/or finalize adoptions, child support proceedings and paternity actions.

Prosecutes and/or oversees the prosecution of the foregoing in Supreme, County, Family and Surrogate's Court, and oversees the submission of court orders for signature as directed by Judges in such proceedings.

Represents and/or oversees legal representation at Department fair hearings.

Provides counsel with regard to medicaid liens and enforcement of the same.

Provides counsel and pursues legal action with regard to recovery against the estates of decedents for monies expended by the Department on the recipient's behalf.

Meets with and effects strategies with the County Attorney and District Attorney regarding issues of mutual responsibility and concern.

Initiates legal actions as directed by the Commissioner.

Serves as confidential counsel to the Commissioner or designee in Department legal matters.

**Full Performance, Knowledge, Skills, Abilities & Personal Characteristics:**

Knowledge of the principles and practices of common law and of County, State and Federal laws as they apply to social services; knowledge of civil court procedures and the rules of evidence; general knowledge of the functions and administrative activities of the County Department of Social Services; knowledge of the Family Court Act, Social Services Law, Mental Hygiene Law regarding guardianships, and the state and federal regulations applicable to such laws; general knowledge of estate and probate law, Freedom of Information Law, and laws and regulations concerning Medicaid and other public assistance; ability to analyze, appraise and apply legal principles, facts and precedents to legal problems; ability to delegate and direct the activities of legal staff; ability to establish and maintain an effective working relationship with employees at various levels of the Department and government; ability to express oneself both clearly and precisely both orally and in writing; good professional judgment; physical condition commensurate with the demands of the position.

**Minimum Qualifications:**

Admission to New York State Bar and five (5) years experience practicing law with two (2) years experience as attorney in a County Attorney's Office, Social Service Attorney's Office, District Attorney's Office or in private practice appearing for parties and/or as an attorney for the child in Family Court or a combination of the forgoing.

**SPECIAL REQUIREMENT:** Possession of an appropriate NYS Motor Vehicle Operator's license at the time of appointment.

# RESOLUTION REQUEST FORM NO. 12

Schedule "A"

## NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

### DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Social Services Payroll Dept. No.: 40.02

Title of Position: Assistant Social Services Attorney Annual Salary: \$64,134 Grade:

Budget code and title: A.6010 110 Union  Non-Union

This position is vacated due to:  Retirement  Resignation  Termination  Promotion  Other

Employee No: 11549

Is this position mandated?  Yes  No Is the position reimbursable?  Yes  No

Source of reimbursement:  Federal 39%  State 38%  Other 23%

Impact to Budget:

Human Resources Director has approved this form when initialed. MS AP

### COUNTY ADMINISTRATOR COMPLETES THIS SECTION

Name of Committee Social Services Date 6/10/14

The Administrator has no objection to the filling of the vacancy.

The Administrator objects to the filling of the vacancy.

Administrator Signature [Signature]

### BUDGET OFFICER COMPLETES THIS SECTION

Date 6/11/14

The Budget Officer has no objection to the filling of the vacancy.

The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature Frank E. Thomas

### SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Social Services Date June 11, 2014

The committee has no objection to the filling of the vacancy.

The committee objects to the filling of the vacancy.

In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.

In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature [Signature]

## ASSISTANT SOCIAL SERVICES ATTORNEY

**Distinguishing Features of the Class:** This is a full-time professional position assisting the Social Services Attorney giving legal counsel to the Commissioner, other officials and employees of the local district Department of Social Services ("Department"), with a primary concentration on representation of the Department's Child Protective, Family Preservation and Youth Development and Foster Care units in child abuse, child neglect and foster care matters. In addition, the attorney may be assigned to represent the Department in child support proceedings, paternity proceedings or other legal matters which are outside the scope of services provided to the Department by the County Attorney's office. The work is performed under the supervision of the Social Services Attorney in accordance with overall policies of the Department with latitude given for the exercise of independent judgment in assigned matters. The work is performed in accordance with the provisions of the New York State Social Services Law, Family Court Act, New York State Rules and Regulations, applicable federal and state laws, policies established by the Commissioner and policies approved by the County Board of Supervisors. The position requires ongoing interpretation and implementation of the foregoing, legal research, independent informed judgment, and pursuit of appropriate legal action. The position is under the oversight and supervision of the Social Services Attorney. The attorney is on-call on a 24 hours basis at all times. Does related work as required.

### **Typical Work Activities:**

Typical work activities can include all or some of the following work as determined by the Social Services Attorney:

Provides legal counsel to the Commissioner, officials and employees of the Department, in relation to matters involving Child Protective Services, Family Preservation and Youth Services, Foster Care, Child Support and Paternity.

Reviews case documentation, prepares and files petitions relating to Article 10 of the Family Court Act. Examples include, but are not limited to, abuse and neglect petitions, permanency hearings, petitions to terminate parental rights and to finalize adoptions.

Prepares and submits orders for signature to the Family Court.

Represents the Department in fair hearings before NYS Office of Children and Family Services.

Attends Family Treatment Court and MDT sessions.

Reviews case documentation, and prosecutes petitions pursuant to Articles 4 and 5 of the Family Court Act involving child support and paternity proceedings in Family Court.

Represents the Commissioner in Mental Hygiene Law Article 81 proceedings relating to guardianships of incapacitated persons.

Represents the Department in the foregoing matters in Family Court, Supreme Court, County Court, or Surrogate Court.

Prosecutes the foregoing in Family Court, Supreme Court, County Court, or Surrogate's Court.

Prosecutes and defends appeals of court decisions as needed.

Provides ongoing legal advice and initiates legal actions as assigned by the Social Services Attorney.

**Full Performance, Knowledge, Skills, Abilities & Personal Characteristics:**

Knowledge of the principles and practices of common law and of County, State and Federal laws as they apply to social services; knowledge of civil court procedures and the rules of evidence; general knowledge of the functions and administrative activities of the County Department of Social Services; knowledge of the Family Court Act, Social Services Law, and the state and federal regulations applicable to such laws; ability to analyze, appraise and apply legal principles, facts and precedents to legal problems; ability to express oneself clearly and precisely both orally and in writing; good professional judgment; physical condition commensurate with the demands of the position.

**Minimum Qualifications:**

Admission to New York State Bar and two (2) years experience practicing law with preference towards experience as an attorney in a County Attorney's Office, Social Services Attorney's Office, District Attorney's Office or in private practice appearing for parties and/or as an Attorney for the Child in Family Court or a combination of the foregoing.

**SPECIAL REQUIREMENT:** Possession of an appropriate NYS Motor Vehicle Operator's license at the time of appointment.