

CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE MEETING
DISTRICT ATTORNEY AGENDA
May 23, 2022

COMMITTEE MEMBERS: Supervisors GERACI, Braymer, Seeber, Dickinson, Driscoll, McDevitt and Diamond
- Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C (4) of the Rules of the Board.

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Action Agenda/New Business Items:
 1. Request to fill 9th Assistant District Attorney position.
Rationale: Intent to fill 9th Assistant District Attorney position. The Notice of Intent to Fill was previously approved on September 1, 2021, and is over six months old and is now expired.
 2. Request to fill Legal Clerk III #1 position.
Rationale: Intent to fill Legal Clerk III #1 position due to anticipated promotion of current employee.
- IV. Discussion Items:
- V. Referrals/Pending Items: None.
- VI. Privilege of the floor and public comment (please allow for 15 second delay on live stream meetings)
- VII. Motion to adjourn

Attachments:

1. Resolution Request Form No. 12 Notice of Intent to Fill Vacant Position – 9th Assistant District Attorney
2. Assistant District Attorney Job Description
3. Resolution Request Form No. 12 Notice of Intent to Fill Vacant Position – 9th Assistant District Attorney – EXPIRED
4. Resolution Request Form No. 12 Notice of Intent to Fill Vacant Position – Legal Clerk III #1
5. Legal Clerk III Job Description page 1 of 2
6. Legal Clerk III Job Description page 2 of 2

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: District Attorney's Office Payroll Dept. No: 5.0
Title of Position: 9th Assistant District Attorney Base Salary of Position: \$66,563 Grade: 2 (Atty)
Filling at Step # (If Known):
Budget code and title: A.1165 110 Salaries Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other creation
Employee No./Last Name: Date of Vacancy:
Is this position mandated? Yes No Is the position reimbursable? Yes No
Source of reimbursement: Federal State Other

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (hiring would be provisional) Non-Competitive Other EXEMPT
Actual Impact to Budget Report will be provided monthly by Human Resources Director.
Candidate's qualifications must be approved by Personnel Officer prior to hiring.
Human Resources Director has approved this form when initialed. 10/7/21 7/23/21

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

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

Administrator Signature [Signature] Date 7/23/21

BUDGET OFFICER COMPLETES THIS SECTION

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 [Signature] Date 7/29/21

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice
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] Date 9-01-2021

ASSISTANT DISTRICT ATTORNEY

DISTINGUISHING FEATURES OF THE CLASS: This position exists in the Office of the District Attorney. The work involves representing the People of the State of New York at every stage of proceedings including arrest through conclusion of the case, and may involve appeals and/or post-conviction motions. The Assistant District Attorney assists the District Attorney in all aspects of criminal prosecution including legal research, writing, appearing in court, conducting hearings, conducting trials, and arguing appeals. Work is performed under the general supervision of the District Attorney with wide leeway allowed for the exercise of independent judgment. Does related work as required.

TYPICAL WORK ACTIVITIES: (Illustrative only)

Represents the People of the State of New York;
Handles such proceedings as are necessary to protect the rights of the People;
Assists the District Attorney in the preparation of various court proceedings;
Assists in the initial stages of case preparation including obtaining discovery, reviewing and redacting protected material, filing protective orders when necessary, serving discoverable material, disclosing Brady material and filing certificates of compliance pursuant to CPL 245;
Presents cases to the Grand Jury;
Prepares cases for trial by reviewing case evidence, meeting with witnesses, responding to motions, preparing and handling pre-trial hearings, reviewing cases with the team, and develops a trial strategy;
Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records to assist in the discovery process;
Tries cases, including jury selection, presentment of cases, preparing opening statements, examining witnesses and presenting closing arguments;
May handle post-conviction motions, including motions to vacate judgment, by preparing a written response and arguing the motion in Superior Court;
May handle appeals by reviewing records on appeal, research and writing legal argument for each point at issue, and conducting oral arguments at County Court, the Appellate Division and the Court of Appeals.

REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:

Thorough knowledge of criminal law and court proceedings;
Thorough knowledge of judicial procedures and rules of evidence;
Ability to interpret and work with New York State criminal code;
Ability to communicate effectively both orally and in writing;
Ability to reason quickly and logically in stressful situations;
Ability to analyze and interpret laws and legal documents in order to render an accurate legal opinion as well as analyze and organize facts effectively;
Ability to prepare for and present cases in court;
Ability to establish and maintain effective working relationships with others.

MINIMUM QUALIFICATIONS:

Possession of a Law License and admission in good standing to practice law in the State of New York.

WC: 8/21: Exempt

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: District Attorney Payroll Dept. No: 5.0
Title of Position: Legal Clerk III #1 Base Salary of Position: \$40,784.00 Grade: 10
Filling at Step # (If Known): _____
Budget code and title: A.1165 110 Salaries Regular Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: Christensen, Ryan Date of Vacancy: June 24, 2022
Is this position mandated? Yes No Is the position reimbursable? Yes No
Source of reimbursement: Federal _____% State _____% Other _____%

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other _____
Actual Impact to Budget Report will be provided monthly by Human Resources Director.
Candidate's qualifications must be approved by Personnel Officer prior to hiring. Row 5/9/22
Human Resources Director has approved this form when initialed. AT 5/9/22

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

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

Administrator Signature [Signature] Date 5/10/22

BUDGET OFFICER COMPLETES THIS SECTION

- 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 Date 5/10/22

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice & Public Safety
 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] Date 5/23/22

LEGAL CLERK III

DISTINGUISHING FEATURES OF THE CLASS: An incumbent in this position performs advanced level legal office/clerical and administrative duties to support the efficient operation of a municipal legal office. Familiarity with legal terminology used in case documents, legal briefs, contracts and/or grant program administration is required. The work involves the operation of automated systems equipment in the preparation, storage and dissemination of legal documents and correspondence. The class is distinguished from Legal Clerk II in the level of complexity of duties and independence required of the position. The work is performed under general supervision provided by legal staff, with direct supervision provided by a higher-level administrator. Incumbents may also lead and guide lower level clerical staff in the performance of specialized projects. Does related work as required.

TYPICAL WORK ACTIVITIES: (Illustrative only)

Assists attorneys in the preparation, processing and distribution of briefs, motions, subpoenas, petitions, affidavits; stipulations, orders and other legal forms for filing of federal, state and county courts as well as administrative tribunals;

Assembles supportive materials and documents to be used by attorneys for research and preparation of legal briefs, court cases and other department legal matters;

Oversees and/or participates in discovery demand document production processes;

Relieves the principals of administrative details that do not require personal attention by the use of discretion, tact and knowledge of department procedures and policies;

Handles routine telephone calls and correspondence independently or with brief oral instructions;

Gathers information, enters data and prepares reports according to federal, state and/or local requirements;

Handles and/or oversees storage of the legal files of the agency;

May assist and participate in Department grant administration and/or compliance processes;

May coordinate documentation and assist in preparation for administrative hearings;

May assist in drafting of grants related to the legal office;

Processes, indexes, scans, sorts and/or maintains confidential legal records and files necessary for the operations of the office;

Uses computer applications or other automated systems such as spreadsheets, word processing, calendar, e-mail and database software in performing work assignments;

Provides general clerical support services, as assigned, to enhance the office operation of the legal department;

Does related work as assigned.

REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:

Good knowledge of legal terminology, documents and legal services office procedures;
Good knowledge of office terminology;
Ability to understand and carry out complex written and oral instructions;
Ability to handle administrative details independently;
Ability to effectively use computer applications such as spreadsheets, word processing, calendar, e-mail and database software in performing work assignments;
Ability to establish and maintain effective working relationships;
Ability to maintain confidentiality of sensitive information, cases and files;
Accuracy; dependability, tact and courtesy.

MINIMUM QUALIFICATIONS: Either

- A) Bachelor's Degree and one (1) year of office clerical experience which must have involved production and processing of law office documents; or
- B) Associate's Degree and three (3) years of office clerical experience, one year of which must have involved production and processing of law office documents; or
- C) Graduation from high school or possession of a high school equivalency diploma and five (5) years of office clerical experience, one year of which must have involved production and processing of law office documents.

NOTE: Post high-school study in a law or criminal justice related field may be substituted for experience on a year-for-year basis.

NOTE: Education beyond the secondary level must be obtained from an institution that is a regionally accredited or New York State registered college or university.