

CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE MEETING  
PUBLIC DEFENDER 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: Notice of Intent to Fill Vacant Position – Coordinating Assistant Public Defender  
Rationale: To fill the vacant position of Coordinating Assistant Public Defender after resignation
  2. Request: Notice of Intent to Fill Vacant Position – Legal Clerk  
Rationale: To fill the vacant position Legal Clerk after resignation
- IV. Discussion Items:
  - i. Attorney Retention
- V. Referrals/Pending Items:
- VI. Privilege of the floor and public comment (please allow for 15 second delay on live stream meetings)
- VII. Motion to adjourn

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Attachments:

1. Resolution Request Form No. 12 - Notice of Intent to Fill Vacant Position – Coordinating Assistant Public Defender
2. Resolution Request Form No. 12 – Notice of Intent to Fill Vacant Position – Legal Clerk

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: Warren County Public Defender's Office Payroll Dept. No: 6.01 A.1171 4202 110
Title of Position: Coordinating Assistant Public Defender Base Salary of Position: \$81,618.00 Grade: 4
Budget code and title: A.1171 4202 110 (Public Defender/Hurrell-Harring Salary - Regular) Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: 13438/DiPresso Date of Vacancy: 6/3/2022
Is this position mandated? Yes No Is the position reimbursable? Yes No
Source of reimbursement: Federal State 100% 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.
Human Resources Director has approved this form when initialed.

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 Date 5/18/22

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 5/24/22

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 Michael Dennis Date 5/23/22

## COORDINATING ASSISTANT PUBLIC DEFENDER

**DISTINGUISHING FEATURES OF THE CLASS:** The work involves representing indigent defendants assigned by the Public Defender in criminal court proceedings. This involves representation and/or oversight of other Assistant Public Defenders' representation of clients through all stages of proceedings following arrest and at the initial court appearance. Supervision is exercised over assigned Assistant Public Defenders in all aspects of legal process in the representation of Department clients. The work is performed under the general supervision of the Public Defender with wide leeway allowed for the exercise of independent judgment. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

Represents and counsels defendants, or oversees assigned Assistant Public Defenders at every stage of proceedings following arrest;

Initiates such proceedings as are necessary to protect the rights of the accused;

Assists the Public Defender in the preparation of various court proceedings;

Confers with defendants, law enforcement personnel, judges, and District Attorney's staff concerning individual cases;

Prepares cases for trial by responding to motions, preparing for hearings, evaluation case, plea-bargaining and discussing case with District Attorney staff in criminal cases;

Prepares for trial by researching law and rules of evidence, preparing trial file of evidence, reviews prospective jurors, reviews trial charges by judge, prepares witnesses for trial and develops trial strategy;

Supervises clerical staff in connection with the preparation of cases and the maintenance of appropriate records;

Tries cases, including jury selection, presentment of cases, questions witnesses at trial, preparing opening statements and preparing closing summations;

May handle post judgment motions, including receiving motions to vacate judgment, preparing response and brief and arguing motion in Superior Court;

May handle appeals by preparing brief, arguing appeal in the Appellate Division, seeking permission of Court of Appeals if not a matter of right, and arguing the appeal in the Court of Appeals.

### **FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:**

Thorough knowledge of New York State and Federal criminal law, good knowledge of judicial procedures and rules of evidence; ability to interpret and work with New York State and Federal 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; ability to analyze and organize facts effectively; ability to prepare for and present cases in court; ability to establish and maintain effective working relationships with others; physical condition commensurate with the demands of the position.

**MINIMUM QUALIFICATIONS:** Possession of a license to practice law in the State of New York AND 5 (five) years of full-time paid experience as a licensed attorney practicing criminal law in the State of New York.

**SPECIAL REQUIREMENT:** Possession of an appropriate NYS motor vehicle license at the time of appointment or otherwise demonstrate an ability to meet the transportation needs of the position.

WC:5.21

JC: Exempt (PJC)

RESOLUTION REQUEST FORM NO. 12

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NOTICE OF INTENT TO FILL VACANT POSITION

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DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Warren County Public Defender's Office Payroll Dept. No: 6.01 A.1171 4202 110
Title of Position: Legal Clerk Base Salary of Position: \$33,076.00 Grade: 5
Filling at Step # (If Known):
Budget code and title: A.1171 4202 110 (Public Defender/Hurrell-Harring Salary - Regular) Union [checked] Non-Union [ ]
This position is vacated due to: [ ] Retirement [checked] Resignation [ ] Termination [ ] Promotion [ ] Other
Employee No./Last Name: Plumley Date of Vacancy: 5/6/2022
Is this position mandated? [ ] Yes [checked] No Is the position reimbursable? [checked] Yes [ ] No
Source of reimbursement: [ ] Federal % [checked] State 100 % [ ] Other %

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

[ ] Competitive-active eligible list [checked] 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. [checked]
Human Resources Director has approved this form when initialed. [checked] 5/18/22

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

[checked] The Administrator has no objection to the filling of the vacancy.
[ ] The Administrator objects to the filling of the vacancy.
Administrator Signature [Signature] Date 5/18/22

BUDGET OFFICER COMPLETES THIS SECTION

[checked] 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 5/24/22

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice & Public Safety
[checked] 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

**DISTINGUISHING FEATURES OF THE CLASS:** An incumbent in this class is responsible for performing a variety of moderately complex clerical assignments in a municipal legal or legal services office. Duties include reviewing, processing, indexing, digitizing and filing various legal documents while utilizing a full range of skills in the operation of computer programs and databases. The incumbent is expected to independently perform duties in accordance with a prescribed set of office policies and procedures. Supervisors are available for consultation on unusual problems and to provide instruction on new or difficult assignments. Work is performed under general supervision of a higher level supervisor. Does related work as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

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

Performs various general clerical support functions to enhance the operation of the office;

Assists in the preparation of various legal documents and correspondence;

Prepares routine legal forms in accordance with standard office policies and procedures;

Forwards copies of legal instruments to interested parties as needed;

Conducts routine correspondence and answers telephone requests on assigned matters where policy and procedures are well defined;

Handles routine telephone calls relating to assigned tasks or matters;

Examines and indexes a variety of legal instruments relating to civil and/or criminal matters;

Types a variety of records and reports relating to the indexing and recording procedure;

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

May act as receptionist;

Does related work as assigned.

**FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:**

Working knowledge of legal terminology, documents and legal services office procedures; working knowledge of office terminology, working knowledge of business english and spelling, ability to understand and follow oral and written instructions; ability to get along well with others, ability to maintain confidentiality of sensitive information, cases and files; accuracy; neatness; tact and courtesy.

**MINIMUM QUALIFICATIONS:** Graduation from high school or possession of a high school equivalency diploma and two years of full-time, paid clerical experience, one of which shall have been in a law office or related field.

**NOTE:** Study in a New York State registered or regionally accredited college or university in a law or criminal justice related field may be substituted for experience on a year for year basis.

WC: 2/1993, 10/2019

JC: Competitive