



POSITION DESCRIPTION

1202

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|------------------------|------------------------------------|--------------------|------------------------|
| Position Title: | Assistant County Attorney I | Department: | Attorney |
| Pay Level: | 16 | FLSA: | Exempt |
| Date: | July 2014 | Reports To: | County Attorney |

PURPOSE OF POSITION:

The Assistant County Attorney I provides legal services, representation, prosecution and advice for Nobles County.

SCOPE OF JOB:

The Assistant County Attorney I has a number of duties that are defined by various Minnesota Statutes, including but not limited to Minnesota Statutes Section 388.051, and in addition assists in advising and representing the County Board and carries out legal duties of the office. The Assistant County Attorney is responsible for prosecution of crimes in the county and for providing civil advice on matters important to the county.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The following duties are normal for this job. These are not to be construed as exclusive or all-inclusive. Other duties may exist or come to exist in statute or be required and assigned. Work is performed in accordance with applicable federal, state and local laws, applicable rules, the accepted standards and practices of legal and ethical behavior and the accepted standards and practices of public administration and the policies established by the County Attorney.

The Assistant County Attorney I carries out specific statutory duties associated with the office as enumerated in Minnesota Statutes Sections 388.10 and 388.051 and other applicable laws, including but not limited to:

- Represents Nobles County in District Court, and in other court settings at a variety of hearings that may include grand juries, adult felonies, gross misdemeanors, misdemeanors and petty misdemeanors, juvenile cases (delinquency, child in need of protection or services, and termination of parental rights cases), commitments, tax appeals, child support hearings, forfeitures, and other civil and criminal matters as assigned by the County Attorney;
- Represents, or assists in the representation of, Nobles County in any appeals;
- Prepares witnesses and evidence that may be presented in evidentiary hearings or other preliminary hearings, administrative hearings, adjudication hearings, dispositional hearings, court trials, jury trials and post-trial proceedings such as sentencing and revocation hearings;
- Drafts letters requesting or providing information, offering or responding to settlement offers, etc;
- Drafts complaints, petitions, legal memoranda, appellate briefs, motions, proposed findings and orders, and other assorted legal documents in a variety of both civil and criminal cases, doing legal research when necessary and incorporating, when appropriate, legal research as well as facts and reports provided by law enforcement, social workers or other stakeholders;
- Oversees and directs case-specific work of legal assistants and secretaries;
- Attends preliminary court hearings and pre-trials;
- Attends contested court hearings and jury trials and post-conviction or post-adjudication hearings;
- Receives and reviews, among other items, various reports, documents, and forms, including, police reports, witness/victim statements, welfare workers' reports, evidence, professional reports, court date notices, probation letters, stipulations, subpoenas, policy documents, and proposed court orders;
- Reviews and drafts contracts between Nobles County and other separate entities, including hospitals, service providers, interpreters, municipalities, private corporations, and companies;

- Serves as a professional replacement for other county attorneys and assistant county attorneys, as needed;
- Performs research or gathers information from professional sources of new legislation, each year, in all aspects of the Assistant County Attorney I responsibilities and follows or enforces changes in statutes in many areas, including criminal, juvenile, family law, extraditions, and all others areas of practice.

Serves an important communication role for the County Attorney's Office.

- Discusses and advises law enforcement personnel and social workers on pending investigations; reviews police reports, witness statements, and assesses sufficiency of evidence;
- Educates and trains law enforcement personnel in relevant areas of criminal and constitutional law;
- Responds to questions from peace officer's and social workers and other stakeholders regarding procedural and legal issues;
- Discusses existing or potential cases with police, victims, witnesses, county stakeholders, and experts; negotiates existing cases with opposing counsel in an effort to resolve all legal matters before jury or court trials; discusses cases with other legal experts;
- Discusses existing cases with probation agents and other professionals to gather information to present at sentencing, disposition, review, or revocation proceedings;
- Discusses with office staff office procedures involved in the County Attorney's office, including, but not limited to: scheduling matters, disclosure of evidence to opposing counsel, disclosure of witness statements, tapes and other pertinent information in criminal cases, family cases, commitment cases, child support, and paternity cases;
- Interacts with Court Administrator's office scheduling matters, case filings, emergency hearings on commitments, juvenile protection and juvenile detention hearings, and judicial conflict cases;
- Attends various other meetings; responds to questions from the general public; speaks to students, welfare workers, doctors, civic groups, and other groups on different aspects of the law and the legal system.

Assists in advising and representing County departments and the County Board in a wide variety of corporate and civil matters.

- Delivers presentations to the County Board on legal issues, budget matters, caseload synopsis, etc.;
- Issues legal opinions for the County Board and other county offices.

Performs work based on expected standards.

- Exercises teamwork with other county employees and management in carrying out the shared mission of serving the public;
- Follows workplace safety rules and notifies management of observed risks in a timely manner;
- Maintains the confidentiality of data that is protected by law.

ADDITIONAL DUTIES AND RESPONSIBILITIES

Performs other related duties as assigned and allowed or required by the law.

MINIMUM QUALIFICATIONS

The job requires a Juris Doctorate from an accredited law school, State of Minnesota Attorney's License and Certification to practice before the District Court in the state of Minnesota, plus a minimum of two years of experience as an attorney, including a minimum of six months to one year of demonstrated courtroom experience, or any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job.

The Attorney I must pass the Minnesota State Bar Exam and remain licensed in Minnesota and a lawyer in good standing throughout employment. The job requires continuing training and the acquisition of a minimum of 45 Continuing Legal Education credits every three years (following the state requirement for acquisition of ethics and bias credits), with reporting of these credits required every three years. The job requires a driver's license in order to attend local and regional meetings and appointments.

KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED

- Ability to exercise independent decision making within the parameters of the law and the exercise of good judgment;
- Versatility to practice in multiple legal areas, both civil and criminal;
- Skill in language, law and computers necessary to produce reports and the variety of legal pleadings associated with the caseload outlined above (including appellate briefs) with proper format, punctuation, spelling and grammar, using all parts of speech;
- Skill to utilize mathematical formulas; add and subtract; multiply and divide totals; determine percentages; compute discount, interest, profit and loss, ratio and proportion; and interpret same, as may be appropriate;
- Ability to use, or learn at a minimum MCAPS, Word, PowerPoint and other computer applications as may become necessary; Excellent interpersonal communication skills; ability to effectively interact with people (i.e. staff, general public, department heads, stakeholders, crime victims and witnesses and elected officials) beyond giving and/or receiving instructions to convey or exchange professional information;
- Excellent problem solving ability, as the job often requires a creative approach to matters where a solution is not necessarily pre-determined.
- The job requires the ability to pay high attention to detail and the ability to prioritize multiple tasks and multiple deadlines on a daily basis

PHYSICAL AND ENVIRONMENTAL REQUIREMENTS:

The Assistant County Attorney I must be physically able to operate a variety of machines and equipment including, but not limited to telephone (mobile and landline), computers in the various forms (PC, tablets, smart phones, etc.), facsimile machine, collator, paper shredder, and audio/video equipment.

The Assistant County Attorney I must be physically capable of reaching to obtain various books, printouts, file boxes, computer paper, etc. Physical demand requirements are at levels of those for sedentary or office environment work. The Assistant County Attorney I must be able to physically attend and address others at court hearings and various meetings where the ability to react appropriately and effectively adjust to new information or a new line of reasoning must occur in real time.

Work is normally performed in an office environment. There is intermittent exposure to driving in inclement weather. An Assistant County Attorney I may be on call after hours and may need to work after regular business hours to meet with trial witnesses, review search warrants, attend meetings, or complete other assigned tasks, particularly tasks with fixed deadlines.

Signature

Supervisor's Signature

Date

Date

Nobles County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the employer.



**FULL-TIME EMPLOYEE
ASSISTANT COUNTY ATTORNEY I-ATTORNEY'S OFFICE**

EVALUATION

1. Performance evaluation at 30 days.
2. Performance evaluation by the end of the probationary period.
3. Performance annually and pay evaluation prior to each step increase.

PAY STEPS (Level 16 Pay Range)

| | |
|--------------------------------|--------------------|
| Beginning pay | \$68,093.54/Annual |
| After 12 more months | \$70,311.06/Annual |
| After 12 more months | \$72,528.58/Annual |
| After 12 more months | \$74,746.10/Annual |
| After 12 more months | \$76,941.22/Annual |
| After 12 more months | \$79,158.74/Annual |
| After 12 more months | \$81,376.26/Annual |
| After 12 more months | \$83,593.78/Annual |
| After 12 more months | \$85,811.30/Annual |

All pay steps are subject to acceptable performance evaluations, review and certification by the County Administrator. All employees are paid every other Friday.

PROBATION

The probationary period is 6 months for full-time employees. A probationary period is established as a qualifying period during which the Agency and the employee evaluate each other to determine if they each have a continuing interest in employment. Note: The length of probation may be extended by mutual consent when there are unresolved performance issues.

ANNUAL LEAVE (A/L)

It is the policy of Nobles County to provide employees necessary paid time away from work. Maximum accrual at the end of a calendar year is 480 hours for a full-time employee. Annual Leave is accrued on a prorated basis (hours worked).

| Years of Service | Accumulated rate | Maximum Annual Accrual |
|-------------------------------|-------------------------|-------------------------------|
| 1st year of employment | 4.924 Hours | 128 Hours |
| 2 - 5 years | 6.154 Hours | 160 Hours |
| 6 - 10 years | 7.385 Hours | 192 Hours |
| 11 - 15 years | 8.616 Hours | 224 Hours |
| 16 - 20 years | 9.847 Hours | 256 Hours |
| 21 or more years | 11.077 Hours | 288 Hours |

HOLIDAYS

There are 10 paid holidays per year:

| | | |
|----------------|------------------------|------------------------|
| New Year's Day | Martin Luther King Day | President's Day |
| Memorial Day | Independence Day | Labor Day |
| Veteran's Day | Thanksgiving Day | Day after Thanksgiving |
| | Christmas Day | |

PENSION

Public Employee's Retirement Association:

6.50% of the employee's gross income; 7.50% County Contribution

Social Security:

7.65% of the employee's gross income; 7.65% County match

2020 INSURANCE

< **Health insurance** is offered through Public Employees Insurance Program referred to as PEIP.

Employees can choose from three networks and three benefit plans.

< **Dental Insurance** pays 50% of costs, less a \$25 deductible and a maximum annual benefit of \$500.

< **Life insurance** is \$25,000, doubled for accidental death or dismemberment (available for the employee only). Additional life insurance is available.

2020 employee coverage cost:

(Rates include single dental and life insurance)

| HEALTH INSURANCE | <u>Individual</u> | <u>Single + Spouse</u> <i>(Rates include individual)</i> | <u>Single + Children</u> <i>(Rates include individual)</i> | <u>Family</u> <i>(Rates include individual)</i> |
|--|--------------------------|--|--|---|
| Advantage Plan – VEBA | \$92.43 | \$767.51 | \$680.43 | \$957.07 |
| Value Plan – VEBA | \$41.20 | \$644.55 | \$572.86 | \$820.10 |
| HSA Compatible Plan – VEBA or HSA | \$0.00 | \$401.96 | \$360.63 | \$549.88 |

- Notes:**
1. The above table reflects the employee cost based on 24 pay periods after the \$1,000/month county contribution has been applied.
 2. The \$1,000/month county contribution includes a monthly contribution to the VEBA or HSA account of \$200.00 for Single coverage or Single+Spouse or \$315.50 for Family or Single+Children coverage.
 3. Part-time benefits are pro-rated
 4. Full-Time Employees are required to take Health, Dental & Life Insurance
 5. Family Dental is available for \$21.14/24 pay periods.
 6. New employees are eligible for insurance on the 1st of the month following the month of employment.

OTHER BENEFITS:

- Voluntary Vision, Term Life, Long Term Disability group insurance plans
- Deferred compensation
- Section 125 – Flexible Spending Accounts

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- (1) All benefits pay and other information presented is accurate on the day it was presented and does not constitute a promise of future benefits, establish a contract or create a commitment to do any particular thing.
 - (2) Nobles County reserves the right to change policies, practices, or conditions expressed in this document without notice as the County deems appropriate. Nobles County management may vary from all written and unwritten policies and practices if, in its opinion, the circumstances require.