

DEPUTY CITY ATTORNEY

FLSA Status – Exempt

EEO Code – B/ Professionals

Class Code – M205

GENERAL DESCRIPTION OF THE DUTIES

This position serves as the City's chief prosecutor in the McMinnville Municipal Court and assists the City Attorney in providing legal counsel to the City's officers and elected officials.

SUPERVISION RECEIVED

The Deputy City Attorney receives general supervision and direction from the City Attorney.

SUPERVISION EXERCISED

This position provides functional supervision for legal action involving the City, the interpretation and application of laws and ordinances affecting the City, and the preparation of legal documents and legal opinions for the City of McMinnville.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The duties and responsibilities listed should not be construed to be all-inclusive. The essential job duties will include other responsibilities as assigned and required.

1. Prepare and present criminal misdemeanor cases and municipal code violations cases for prosecution in the McMinnville Municipal Court.
2. Review evidence to determine that all investigations are complete, select and interview appropriate witnesses, conduct legal research, draft legal documents, and make court appearances.
3. Perform intake and screening procedures, review evidence, determine appropriate charges, and prepare pleadings.
4. Appear in court and represent the City and State in arraignments, all phases of trial, entries of plea, sentencing hearings and probation violation hearings.
5. Prepare misdemeanor cases for trial including developing trial strategy, preparing witnesses and drafting legal motions and memorandum.
6. Determine appropriate plea offers consistent with office policy, and participate in case negotiations with defense counsel.
7. Advise law enforcement officials and code enforcement officers regarding legal questions and procedures, and assists in the application for arrest and search warrants.

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8. Collaborates with community partners to ensure appropriate services are provided to individuals in the criminal justice and code enforcement system.
9. Oversee case maintenance and legal paperwork of legal support staff.
10. Keep up to date on court decisions and legislation affecting criminal laws and code enforcement.
11. Discusses criminal procedures with law enforcement agents designed to improve procedures for investigations, arrests, searches and seizures, etc, and participates in training for law enforcement in the law and recommend procedures.
12. Prepare for and represent the City in all civil litigation and arbitration matters not covered by insurance, including both cases filed against the City and litigation initiated by the City Council.
13. Advise the City Manager, Mayor and City Council on municipal law matters, including preparing legal opinions, drafting and reviewing City ordinances and policies.
14. Assist the City Attorney in providing general legal counsel to the City Manager, Mayor and City Council, including attending City Council and other meetings, managing and coordinating the work of contracted legal counsel, investigating complaints by or against the City.
15. May act for the City Attorney in their absence, and perform other legal tasks as assigned by the City Attorney.

OTHER JOB FUNCTIONS

1. Maintains proficiency in municipal law through training, professional journals, and technology-based resources.
2. Performs other duties as assigned.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Principles and practices of criminal law, civil law, and code enforcement.
- Principles and techniques of judicial procedure and rules of evidence.
- Court room and trial procedures.

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- Statutes, rules and case law relating to criminal pleading, detention, arrest, search and seizure, self-incrimination, right-to-counsel, other criminal procedures and prosecutorial immunity and liability.
- Techniques of persuasion, legal research procedures and methods, principles and techniques of negotiation, and police investigation techniques.
- Professional responsibility and ethics.
- Laws relating to forfeiture of property.

Ability to:

- Read, write, communicate and interpret information accurately in English
- Interpret and apply legal principles and procedures.
- Analyze and organize facts and evidence.
- Research, analyze and prepare legal documents.
- Effectively and persuasively present facts, evidence, precedents and recommendations to judges, juries and elected officials.
- Concentrate and consistently provide accurate and practical legal advice and work product.
- Communicate effectively, both orally and in writing.
- Establish and maintain effective working relationships with government officials, law enforcement and court personnel, prosecuting and defense attorneys and the public.
- Make effective decisions under stress.
- Work effectively with others when they are angry, hostile or upset.
- Meet deadlines and multi task.
- Maintain Criminal Justice Information System (CJIS) and Law Enforcement Data Systems (LEDS) certification.
- Work a varying schedule, including early mornings, evenings and weekends, as necessary to allow the City to provide timely service to the public.
- Sit, reach with hands and arms, talk and hear, stand, walk, and lift and/or move up to 20 pounds.
- Acknowledge and take responsibility for mistakes, identify practical methods to avoid future mistakes and implement those methods.
- Accept and apply constructive feedback regarding performance.

Practical skills in:

- Operation of a personal computer and use of Microsoft Office products (Word, Excel, PowerPoint, etc.).
- Use of multi-line telephone and common electronic media.
- Case Management software.

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EXPERIENCE AND TRAINING

Three years experience practicing as legal counsel or any satisfactory combination of experience and training that would demonstrate the knowledge, skills and abilities required to perform the essential job functions is qualifying. Law degree from an accredited law school.

SPECIAL REQUIREMENTS

Must be a member of the Oregon State Bar Association or be able to obtain membership within a reasonable period of time following appointment. Must have possession of or ability to obtain a valid Oregon Driver's License.

DESIRABLE BACKGROUND

1. Thorough knowledge of criminal law practice and rules of criminal procedure.
2. Prior jury trial experience.
3. Resident of Yamhill County.
4. Bilingual in English and Spanish.

PHYSICAL DEMANDS OF THE POSITION

While performing the essential duties and responsibilities of this position, the employee is frequently required to stand, sit, communicate, reach and manipulate objects, tools or controls. Duties involve moving materials weighing up to ten (10) pounds on a regular basis such as files, books, office equipment, etc. Manual dexterity and coordination are required in less than fifty (50) percent of the work period while operating standard office equipment and motorized vehicle. Reasonable accommodation will be provided to qualified individuals with a disability and known limitations.

WORKING CONDITIONS

Usual office working conditions. The attendance of night meetings is required

Approved By _____ Date _____
(City Attorney)

Adopted By _____ Date _____
(City Manager)

Established: 07/17